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AN ACT to amend an act to incorporate the city of Jacksonville, in the county of Morgan, and state of Illinois, approved 15th February, 1867, and also concerning the act approved 10th February, 1849, concerning incorporated towns and cities. In force March 29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the city council of the said city of Jacksonville shall have no power, expressed or implied, to straighten, vacate or discontinue any street, alley or highway, or any public grounds, or the Duncan Park within the limits of the original plat of the town of Jacksonville, or of any addition thereto, or of any addition to the now city of Jacksonville, or within the limits of the said city of Jacksonville. Prohibition of council to improve Duncan park.

§ 2. That the twenty-first section of the eleventh article of the act hereby amended be amended by striking out the word "five," and inserting in lieu thereof the word "six." Act amended.

§ 3. That section three of article eleven of the charter of said city of Jacksonville be so amended [that] the members of the board of education, representing the different wards, shall hereafter be elected by the people at the city elections of city officers, and shall go out of office as follows: Two at the end of one year, and two at the end of two years; and that after the first election of said board, to-wit: at the next election of city officers, they shall cast lots, in the presence of the city council, for the long and short terms of office, and the two upon whom the lots for the short term shall fall shall go out of office at the end of one year, and the other two at the end of two years, and the city council shall make a record thereof; and after the first election of the board of education, that two members thereof shall be elected each year, in conformity with this amendment. Section three amended.

§ 4. That the first subdivision of the powers of the city council, under third section of article five (5) of the act to Limit of time of council to issue bonds.

which this is an amendment, is hereby amended, so as to authorize the city council to issue bonds for more or less than five years, as the city council may deem proper: *Provided*, that if at any election to be held under said first sub-division, there shall not be a majority of all the votes cast at the last city election for city officers, voting for the issuing of the bonds, then the bonds shall not be issued.

Street commissioner and surveyor to be appointed by council.

§ 5. That hereafter the city street commissioner and city surveyor, provided for in the fifth (5) section of article two (2) of the act to which this is an amendment, shall be appointed by the city council; and said officers shall be subject to the orders and be under the control of said council; and said street commissioner and surveyor, and all other officers and agents now authorized or that may be hereafter authorized to be appointed by said city council, may be removed from office and their places filled by other persons, by a vote of the majority of said council, as provided in the fifth section of the second article of the act hereby amended.

Elections.

§ 6. That hereafter there shall be elected two aldermen in each ward of the said city of Jacksonville.

Public grounds.

§ 7. That the city council of the said city of Jacksonville shall have full power, by the unanimous vote of said city council, or, without said unanimous vote, upon petition of the owners of two-thirds of the property fronting thereon, to open and lay out public grounds and squares, and to open, extend and widen through [the] whole length, or part or parts thereof, streets, alleys or other highways, and to construct sewers or other drainage in said city, or sections thereof. The city council shall cause all streets, alleys and other highways and public squares, or grounds, or sewers, laid out, opened, widened, as aforesaid, and extended or constructed by virtue of this act, to be surveyed; and such survey (describing accurately the real estate through or over which the same may or shall pass) to be recorded in a book to be kept by the clerk of said city for that purpose.

When damages cannot be agreed upon.

§ 8. Whenever any street, alley or other highway, or public ground, or square, or sewers, or other drainage, is proposed to be laid out, opened, altered, widened, or extended, or continued, or constructed, in said city, and the amount of compensation to property holders, whose property may be occupied by reason of or for the purposes of said street, alley, highway, or public grounds, or square, or sewer, or other drainage, can not be agreed upon, the city council shall give notice of its intention to appropriate the necessary land for the same to the owner or owners thereof, residents of said city of Jacksonville, by written or printed notices, delivered to said resident owner or owners, or by leaving the same at his, her or their residence or residences, or at his, her or their boarding house or houses, with some

member of the family over twelve years of age; and if any resident owner or owners shall be out of said city, for the time being, he or they may be served with notice, as aforesaid, or by publication hereinafter provided; and thereafter the city council shall appoint one freeholder, and said property holder or holders shall appoint one freeholder, and these two so appointed shall, within five days, appoint a third freeholder—all of whom shall be residents of said city of Jacksonville, and neither of whom shall be owner of any interest in any real estate so to be valued by him as commissioner—to assess and ascertain the value of all real estate required for any such proposed improvement, and the damages, if any, to the several owners of the same, resulting from the appropriation and occupation as aforesaid. And should said property holder or holders fail to make such appointment within five days after notice, as aforesaid, of the appointment by said city council of a commissioner, as aforesaid, then the city council shall have power to appoint the second commissioner, and these two shall appoint a third; and in case of the default of these two to appoint a third commissioner, within five days, the city council shall have power to appoint him. But in all cases where it shall be made to appear to said city council, by the oath or affirmation of any officer or duly appointed agent of said city, that the owner or owners of any such real estate or interest therein, proposed to be valued and appropriated, as aforesaid, shall be a non-resident of this state, or shall be residing out of said city of Jacksonville, for the time being, the city council shall cause to be published in the newspaper publishing the city ordinances, for the time being, a notice to said owner or owners of such real estate or interest therein, to be signed by clerk of said city, describing therein the property and the purposes for which the same shall be proposed to be taken and appropriated, and which notice shall be published for three weeks; and upon the expiration of such time the city council shall have the power, in the manner provided in this section, to proceed to the appointment of commissioners, and proceed with such appraisement and valuation as in other cases herein provided for. The said commissioners shall make their report in writing, and shall accurately describe therein the several parcels of real estate required for the said proposed public ground, square, street, alley or other highway, sewer or drainage, with a separate valuation of each piece. Said commissioners shall also examine all property specially benefited by nature of the opening, widening, or extending, or constructing sewers or drainage, or public ground, square, street, alley, or other highway; and the special benefits accruing to each of said lots or parcels of land, by reason of said improvement, shall, by said commissioners, be separately estimated and reported;

Estimate value on real estate

Publication of notice.

Report of commissioners.

Property specially benefited.

and the special benefits so resulting as aforesaid, the city council shall have the power to collect from the respective or several owners of the same; and the sum of the special benefits, so estimated and ascertained, shall be deducted from the whole costs of said public improvement, and the remainder thereof shall be provided for by the said city council as other revenue is provided. A majority of said city council shall be necessary to a choice of commissioners. The commission shall, before entering upon their duties, be sworn or affirmed faithfully and impartially to perform their duties as such commissioners to the best of their ability. Said commissioners shall first give notice of the time and place of meeting; which said notice shall be published for five days in the newspaper in said city publishing the city ordinances, prior to the day of meeting; and the publication of such notice of their intention to make such assessment shall be deemed and taken as sufficient notice to all persons interested in any property in any manner affected by said improvements of the intention of the said city to have the same valued for the purpose aforesaid. Said commissioners shall make personal inspection of the premises proposed to be taken, and, a majority concurring, shall be authorized and empowered to report. They may receive and consider any legal evidence of the value of property affected, and may adjourn from day to day, if deemed necessary. Said report shall be made to the city council within ten days after the same shall have been completed.

Oath of commissioners.

Assessment notice.

Duty of clerk.

§ 9. The clerk of said city, on filing of said commissioners' report, shall thereupon give ten days' notice, by publication in the newspaper publishing the city ordinances, that said assessment has been returned to the city council, and that, upon a day to be named therein, the city council will act upon the same, unless objection be made to the same by some person or persons interested. Objections may be made to and heard by the city council, and adjourned from time to time, as said council may order. Said council shall have power, in their discretion, to reject said report, and to order said commissioners, or others, to be appointed by said city council, to re-examine and report upon said proposed public improvements.

Power of city council.

§ 10. When said commissioners' report shall have been acted upon and approved by the city council, the same shall be filed in the office of the clerk of said city, and recorded; and thereupon it shall be the duty of the said city to cause the amount of damages so awarded to the several owners of the real estate required to be taken and appropriated, as aforesaid, first deducting therefrom whatever special benefits may have, by said commissioners' report, or the order of the city council in conformity thereto, been charged against the owners of said several lots of land, resulting from said public improvements,

to be tendered to the respective owner or owners of the same, in payment for the property specified in said commissioners' report; and thereupon the city council shall have power, and it shall be and it is hereby made their duty, to proceed to appropriate said property, and to open, widen, lay out or extend, as the case may be, the proposed street, alley, highway, public ground, or square, except in so far as appeal or appeals shall be taken, as hereinafter provided. That whenever the commissioners' report upon any proposed public improvement shall have been duly made, and finally acted upon by the city council, the several assessments made by said commissioners against the several lots or parcels of ground, for the special benefits resulting to the owner or owners thereof, by reason of such public improvements, shall be payable to or collectable by the said city council; and the said city council may proceed to collect the same by warrant, to issue for that purpose, or in such other manner as may be provided for by ordinances. That whenever it shall appear to the city council, by the oath or affidavit of any officer of said city having charge of any of the public improvements authorized by this act to be made, that the owner, either legal or equitable, of any real estate necessary to be taken and appropriated for the use of any such public improvement, and described in the report of said commissioners, is not a resident of this state, or is residing outside of this state, it shall not be necessary to make a tender of the sum awarded such property holder, in person; but the damages so awarded shall be deposited in the county treasury, to the credit of or for the use of such owner; and thereupon the city council may, by its agents and proper officers, enter upon said property, and appropriate the same to the use of said city, for the uses and purposes provided for in this act, except in so far as appeal and appeals shall be taken, as hereinafter provided for.

Collection of
assessments.

Non resident.

§ 11. Whenever the city council shall have ordered the making of any of the improvements, the authority for making which is given by section one (1) of article eight (8) of the act to which this act is amendatory, the cost and expense of such improvement shall be paid in the same manner as herein provided for paying the expenses and damages resulting from opening, widening or extending streets, alleys and other public grounds: that is, there shall be assessed upon the property specially benefited by such improvements the amount of such special benefits, and the balance of the cost or expense of such improvements shall be paid out of the city treasury. Said assessment shall be levied and collected in the manner herein provided for levying and collecting assessments for opening, widening or extending streets, alleys and other public grounds.

Expenses of
improvement.

Appeal.

§ 12. Any person or persons whose property shall be taken, or upon whose property an assessment shall be made by the city council, for the purpose of opening, widening or extending any street, alley or public ground, or of making any other public improvements, may appeal from the final order of the city council taking such property, or making such assessment, to the circuit court of Morgan county, by giving notice, in writing, of his or their intention so to do, to the mayor, within ten days after the passage of such final order. In case of appeal, the city council shall, within thirty days after such notice, file in the office of the clerk of the circuit court a transcript of all the proceedings of the city council in relation to taking of such property, or making such assessment, so far as the same shall appear from the files and records of said council; which transcript shall be certified by the city clerk, under the corporate seal of the city. Upon the trial of such appeal, no exception shall be taken to any of the proceedings of the commissioners, or of the city council, except as to the question of damages, and to the order of the city council approving the report of the commissioners upon that subject; and that upon these points the appellant or appellants shall have a new trial in the circuit court.

Effect of appeal to stop improvement.

§ 13. An appeal taken by any party whose land shall be taken for the purposes of any street, alley or public ground, or other public improvement, under the provisions of this act, shall operate to stop or hinder the work of opening, widening or extending such street, alley or public ground, or other public improvement, so far as appealed from, until after the trial of the appeal in the circuit court, and afterward, if the circuit court decide against the right of the city to proceed with the said proposed public object or improvement, and until said decision of the circuit court shall be reversed by the supreme court. But nothing within this section shall be construed to deprive the city or any party to prosecute a writ of error, or an appeal from the judgment of the circuit court to the supreme court.

Conflicting acts repealed.

§ 14. So much of the act to which this is an amendment, or of any law under which the city council claims power, as conflicts with the provisions of this act, are [is] hereby repealed, so far as the said city of Jacksonville is concerned.

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

APPROVED March 29, 1869.

AN ACT to amend the charter of the city of Jerseyville.

In force March
29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the corporate powers of said city shall be vested in the city council, to be composed of a mayor, and two aldermen from each ward of said city. The other officers of said city shall be a city clerk, who shall be, *ex officio*, treasurer of said city, an assessor, a constable, who shall be, *ex officio*, collector, a marshal, who shall be, *ex officio*, street commissioner, a city attorney, a surveyor, and a fire warden. That no person shall be eligible to any of the aforesaid offices, unless qualified as is provided in section 1 of chapter 2 of the act to which this is an amendment.

Corporate powers.

Officers.

§ 2. That section 2 of chapter three of the act to which this is an amendment be so amended as to require the election of two instead of one alderman from each ward of said city, who shall be elected by the voters in the wards in which such aldermen respectively reside; and polls for such election shall be opened at some place in each of said wards, to be designated by the city council.

Section two amended.

§ 3. That, in addition to the powers conferred upon the mayor of said city by the act to which this is an amendment, he shall, *ex officio*, have power to administer any oath required to be taken by this act, or by the act to which this is an amendment, or by any law of this state, and to take depositions.

Powers of the mayor.

§ 4. That the city clerk, as *ex officio* treasurer, shall, before entering upon the duties of his office, execute a bond to the city of Jerseyville, for the use of the inhabitants thereof, in such sum as the city council may require, with two or more sureties, to be approved by said city council.

Bond and security of officers

§ 5. The city marshal shall have the same power and authority, within the county of Jersey, which a constable has under the laws of this state, and shall receive like fees. He shall arrest all persons, on view, with or without a warrant, who may be found violating any of the ordinances of said city.

Marshal, fees.

§ 6. That, after the next annual election for the officers of said city, an annual election for the said officers shall take place on the first Tuesday of March in each year. Ten days' previous public notice of the time and place or places of holding such election shall be given by the city clerk, by posting up notices of the same in three public places in each ward of said city.

Election of city officers.

§ 7. That so much of section 4 of chapter 5 of the act to which this is an amendment as limits the power of the city council, in borrowing money for city purposes, to an amount not to exceed one-half of the city revenue, arising from taxes of the previous year on real and personal pro-

Sections 4 and 5 partly repealed

perty within the limits of said city, be and the same is hereby repealed.

Taxes. § 8. All street or poll tax, not collected or worked out, shall be reported to the city council by the street commissioner, at their regular meeting in July, in each year; and the said city council shall thereupon direct the same to be placed upon the city collector's book, and collected as other taxes of said city.

Style of ordinances. § 9. The style of ordinances to be hereafter passed by said city council shall be, "*Be it ordained by the City Council of the city of Jerseyville;*" and shall be read three times before their passage. Upon the final passage of all ordinances, the ayes and noes shall be taken and recorded; and no ordinance shall be deemed to have passed, unless the same shall have received the affirmative vote of a majority of the aldermen elected.

Duty of police magistrate. § 10. That it may be lawful to declare, generally, i debt, before the police magistrate of said city, or any justice of the peace, in all actions brought by the said city.

Election district. § 11. The city of Jerseyville shall constitute a district, in which one police magistrate or city justice of the peace shall be elected by the qualified voters of said city; who shall be commissioned and qualified, in all respects, as justices of the peace of this state. Said police magistrate shall hold his office for four years, and until his successor shall be duly elected and qualified. He shall have power to hear and determine all cases arising under this act, or the act to which this is an amendment, and the ordinances of said city; and, in addition thereto, he shall have and exercise, in the county of Jersey, all the powers and authority conferred upon justices of the peace by the laws of this state. He shall be entitled to charge and receive the same fees as are allowed by the laws of this state to justices of the peace. In cases before him, arising under the ordinances of said city, any person charged with a violation of the same shall be entitled to trial by a jury of six lawful men, being citizens of the said city.

Fees of office. § 12. The first election of said police magistrate shall be held on the third Tuesday in April, A.D. 1869. The next election for said office of police magistrate shall take place on the first Tuesday in March, A.D. 1873, and on the first Tuesday in March in each and every fourth year thereafter.

Election of police magistrate. § 13. If any vacancy shall occur in said office of police magistrate, the same shall be filled by a special election, to be called and conducted in the same manner as other elections in said city. During the absence or inability to act of the police magistrate herein provided for, it shall be lawful for any justice of the peace in and for the county of Jersey to hear and determine cases arising under the ordinances of said city. Appeals from any decisions of said

Vacancy, how filled.

police magistrate, or trial before him, shall be allowed, by the party entering into bonds, as provided by law in cases of appeal from justices of the peace of this state; but no change of venue shall be allowed from said police magistrate, in any case or controversy arising under this act, or the act to which this is an amendment, or the ordinances of said city. The said police magistrate may direct all processes issued by him to the sheriff [or] any constable of Jersey county, or to the said city marshal.

No change of venue.

§ 14. That section 8 of chapter 9 of the act to which this is an amendment, and all acts or parts of acts heretofore in force, and inconsistent with the provisions of this act, are hereby repealed.

Conflicting acts repealed.

§ 15. This act shall be deemed a public act, and be read in evidence without proof; and judicial notice shall be taken thereof in all courts and places, and shall take effect and be in force from and after its passage.

When act to take effect.

APPROVED March 29, 1869.

AN ACT to amend the charter of the city of Joliet.

In force Feb. 25 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the fourth section of an act entitled "An act to amend the charter of the city of Joliet," approved March 1st, 1867, and the second section of the act to which said act is amendatory, approved February 16, 1865, be and the same are hereby repealed, and the offices of police magistrate, thereby created, are hereby abolished; and that at the regular charter election of said city, for the year 1869, and every fourth year thereafter, there shall be one police magistrate elected for said city, who shall hold his office for the term of four years, from the date of his election.

Act amended by repeal.

§ 2. That chapter fourteen of an act entitled "An act to reduce the law incorporating the city of Joliet and the several acts amendatory thereof into one act, and to amend the same," approved January 31, 1857, is hereby revived and in force, except so far as the same is in conflict or incompatible with section one of this act.

Provisions of act revised.

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

APPROVED February 25, 1869.

In force March
29, 1869.

AN ACT to amend the charter of the city of Joliet.

Act amended. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the eleventh article of section four, in chapter four, be so amended that after the word "*Provided,*" as to read, "not less than one dollar nor more than five hundred dollars shall be required to be paid for any license under this act."

Section 4, chapter 44, amended § 2. That article forty-four of section four, of said chapter four, be so amended as to read as follows: "To provide for the lighting of streets and erecting lamp posts and lamps therein, and regulate the lighting thereof, and, from time to time, correct, alter or extend lamp districts; to exclusively regulate, direct and control the laying and repairing of gas pipes and gas fixtures, in the streets, alleys, avenues and sidewalks."

Issue licenses. § 3. The common council, in addition to its present powers, shall have power to direct the location and management of and regulate and license brewers, tanneries and packing houses, and direct the location, management and construction of, and regulate, license, restrain, abate and prohibit, within the city and to the distance of two miles therefrom, distilleries, slaughtering establishments, establishments for steaming or rendering lard, tallow, offal, and any such other substance as can or may be rendered, and all establishments or places where any nauseous, offensive or any unwholesome business may be carried on.

License insurance companies § 4. The common council of said city shall have exclusive power to license, tax and regulate, within said city, all insurance companies and their agents, doing business in said city, and compel said companies, or their agents, to take out such license and pay such taxes.

Amended sections. § 5. That sections one, two, three, four, five and six, of chapter seven, shall be amended so as to read as follows: "*Section 1.* The common council shall have power, from time to time—

Streets, alleys, and highways. "*First*—To cause any street, alley or highway to be graded, leveled, paved, macadamized, or planked, and to keep the same in repair.

Sidewalks. "*Second*—To cause cross and sidewalks, main drains, sewers and private drains, to be constructed and laid, relaid, cleansed and repaired, and regulate the same.

"*Third*—To grade, improve, fence, protect and ornament any public square or ground, now or hereafter to be laid out.

Assessment upon real estate benefited. "*Section 2.* The expenses of any improvement mentioned in the first and second paragraphs of the foregoing section shall be assessed upon the real estate specially benefited thereby. The amount to be assessed for such improve-

ment shall be estimated and determined by three respectable freeholders of the city, to be elected by the common council, as commissioners to make such estimate and assessment, who shall be sworn faithfully and impartially to execute their duty, to the best of their ability.

“*Section 3.* Before entering on their duties, the commissioners shall give one week’s notice, in the corporation newspaper, of the time and place of meeting, to all persons interested, and they may, if necessary, adjourn from day to day. The commissioners shall first estimate the whole cost of the proposed improvement and all the costs and expenses of the same, and then assess the amount upon the real estate by them deemed specially benefited by any such improvement, in proportion, as nearly as may be, to the benefit resulting thereto, and briefly describe, in an assessment roll, to be made by them, such real estate, and set opposite to such lot or block, parts of lots and parts of blocks and real estate, the amount of the assessment thereon; which assessment roll and report of said commissioners shall be returned to the common council.

Duties of commissioners.

Section 4. When the commissioners shall have completed their estimate and assessment, and made a correct copy thereof, they shall deliver the same to the city clerk, within forty days after their appointment, signed by all the commissioners. The clerk shall thereupon cause notice to be published in the corporation newspaper, for one week, to all persons interested, of the completion of the assessment, and of the filing of the roll. Time and place shall be designated therein for hearing objections.

Report of commissioners.

“*Section 5.* Any person interested may appeal to the common council for the correction of the assessment. Appeal shall be in writing, and filed in the clerk’s office within ten days after the first publication of said notice. The common council may adjourn such hearing from day to day, and shall have power, in case of appeal or otherwise, in their discretion, to revise and correct the estimate and assessment and confirm or annul the same, and direct new estimates and assessments to be made, in the manner hereinbefore directed, by the same commissioner or by three others, as they shall deem advisable; when confirmed, the assessment shall be collected as other taxes upon real estate, by sale thereof.

Appeals may be taken.

“*Section 6.* If any vacancy happens in the office of commissioners, at any time, by reason of removal, failure, or refusal, or inability from sickness, or other cause, to serve, the common council may fill such vacancy. If the first assessment prove insufficient another may be made, in the same manner.”

Vacancies filled

§ 7. That section nine of chapter two be amended, by adding the following clause thereto: “*Provided*, that no person shall be eligible to the office of mayor or alderman

Section chapter amended. 9 two

who has not been a resident tax payer and freeholder of said city for two years next preceding his election ; nor shall any person be allowed to vote on any question of subscribing by the city to the stock of any railroad company or on any question or project that shall create or cause any indebtedness against the city, who has not been a tax payer in said city for one year next preceding the time of such voting.

Conflicting acts repealed.

§ 8. All acts and parts of acts, coming in conflict with the provisions of this act, are hereby repealed. This act shall take effect and be in force from and after its passage.

APPROVED March 29, 1869.

In force April 16, 1869. AN ACT supplemental to an act entitled "An act to amend the charter of the city of Joliet," approved March 29, 1869, and to perfect and improve the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the city of Joliet, in Will county, be and hereby is authorized and fully empowered to pledge the credit of said city, by the issuing of bonds, or such other evidences of indebtedness as shall be deemed proper and necessary, and also to levy and collect necessary taxes, as by law is provided, for the purpose of aiding and assisting in the creation and erection of manufacturing establishments and improvements in and adjacent to said city, and for liquidating such pledges.

Credit of city pledged for issuing bonds.

§ 2. That before any bonds or evidences of indebtedness shall be issued or tax levied, as expressed in section one of this supplemental act, for the purposes therein specified, the proposition for issuing such bonds and evidences of indebtedness, or the levying of any such tax or taxes, shall be submitted to a vote of the legal voters of said city, for their approval or disapproval, at an election called for that purpose ; and the amount proposed to be appropriated or raised, and the object thereof, shall be definitely expressed in the notice or notices for such election, and approved by a majority vote at such election.

Question submitted to legal voters.

§ 3. The notices to be given for such election shall be given by the city clerk, by direction of the city council, and such notices shall be posted up at least five days before the time of holding such election, as in other cases of election, in at least five places in each ward of said city.

Notice for special election.

Bonds signed by mayor or clerk.

§ 4. In case bonds or other evidences of indebtedness shall be issued under the provisions of this act or the act to

which this is a supplement, the same shall be signed by the mayor and city clerk, under the corporate seal of said city.

§ 5. This act shall be a public act, and shall be liberally construed, and shall take effect from and after its passage.

IN FORCE April 16, 1869.

This bill having been returned by the governor with objections thereto, and after reconsideration having passed both houses by a constitutional majority, it has become a law this 16th day of April, A. D. 1869.

EDWARD RUMMEL,
Secretary of State.

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AN ACT to amend an act entitled "An act to establish the city of Kankakee," approved February 16, 1865. In force March 30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the common council of said city shall have power, from time to time, to cause sidewalks to be constructed, laid, relaid and repaired. Corporate powers.

§ 2. Whenever such sidewalks shall be constructed, laid, relaid or repaired, the common council may pay the cost and expense thereof out of the general fund, and proceed to appoint the street commissioner and two freeholders of said city, as commissioners, whose duty it shall be to estimate and assess the value of the benefits of such sidewalks, so constructed, laid, relaid or repaired, upon the real estate along or adjoining such sidewalk; and such assessment shall be made and collected upon such real estate, in pursuance of chapter eight of the act to which this is an amendment. Appointment of commissioners.

§ 3. The common council may, if they deem proper, appoint and cause such commissioners to make an estimate of the cost and expense of constructing, laying, relaying or repairing such sidewalks, and estimate and assess the value of the benefits thereof upon the real estate along or adjoining the same, and then either order the construction thereof, and levy and collect such assessments, as provided in the foregoing section, or suspend said order until such assessments shall be levied and collected, when it shall be then expended for such purposes. And that said council shall have power to receive security from the real estate owners that they shall pay such assessments upon their property, in constructing, laying, relaying or repairing such sidewalks, in such manner as said council may require. Estimate cost.

§ 4. The common council shall have power to cause sidewalks to be repaired, from time to time, and cause the street commissioners to estimate and assess the benefits thereof upon the real estate along or adjoining said sidewalk; which amounts shall be assessed and collected in Assessments of benefits.

pursuance of said chapter eight of the act to which this is an amendment.

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

APPROVED March 30, 1869.

In force March 11, 1869. AN ACT to amend an act entitled "An act to incorporate the city of Lake Forest," approved Feb. 21, 1861.

ARTICLE I.

BOUNDARIES, GENERAL POWERS AND FORMATION OF WARDS.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the inhabitants in the city of Lake Forest, in the county of Lake, and state of Illinois, be and they are hereby constituted a body politic and corporate, by the name and style of "The City of Lake Forest;" and, by that name, shall have perpetual succession, and may have and use a common seal, which they may change and alter at pleasure.

§ 2. The boundaries of said city shall include within their limits all of the original plat of Lake Forest, as platted and recorded by the Lake Forest Association; the western addition to Lake Forest; all of the west half of the north-west quarter of section thirty-three (33), township forty-four (44) north, of range twelve (12) east; also, all of said section thirty-three (33), and all of the northeast quarter of section four (4), township forty-three (43), range aforesaid, that lies east of the eastern line or boundary of the public road or highway known as the Chicago and Green Bay road or Chicago and Lake Shore road, so called; but no tract or lot thus included, and not embraced in either of the aforesaid plats, and exceeding thirty (30) acres in area, shall be taxed for general city purposes; but the same shall bear a proportionate share of taxes for school purposes, and shall, also, be liable for special assessments for improvement of streets and highways adjacent thereto.

§ 3. The inhabitants of said city, by the name and style aforesaid, shall have power to sue and be sued, to implead and be impleaded, defend and be defended, in all courts of law and equity, and in all actions whatsoever; to purchase, receive and hold property, both real and personal, within or beyond the city, for burial grounds, or for other public purposes, for the use of the inhabitants of said city; to sell, lease and convey or dispose of property, real and personal, for the benefit of the city, and to improve and protect such property and to do all other things [in relation] thereto as natural persons.

§ 4. The city of Lake Forest shall be divided into three (3) wards, the boundaries of which shall be fixed by the city council, and shall be, by the city council, changed, from time to time, as they shall see fit, having regard to the number of inhabitants. The city council may create additional wards, as occasion may require, and fix the boundaries thereof. Divide city into wards.

ARTICLE II.

OFFICERS—THEIR ELECTION AND APPOINTMENT.

SECTION 1. The municipal government of the city shall consist of a city council, to be composed of the mayor and two aldermen from each ward. The other officers of the corporation shall be as follows: a city surveyor and engineer, a city clerk, and city attorney, who shall be elected by the city council, a city treasurer, a city assessor, a city marshal and collector, and a city supervisor, who shall be elected by the qualified voters of said city, who, in addition to the duties prescribed by this act, shall perform such other duties as may be prescribed by ordinance. There shall, also, be such other officers, servants and agents of the corporation, as may be provided by ordinance, to be appointed by the city council, and to perform such duties as may be prescribed by ordinance. All officers shall qualify for their respective offices in manner provided by law. City council.
Election of city officers.

§ 2. The several wards of the city shall be represented in the city council by two aldermen from each ward, who shall be *bona fide* residents thereof, and hold their offices for two years from and after their election, and until the election and qualification of their successors. Representation of wards.

§ 3. A majority of the city council shall constitute a quorum to do business, but a smaller number may adjourn from day to day and compel the attendance of absent members, under such penalties as may be prescribed by ordinance. Quorum to do business.

§ 4. All officers elected or appointed under this act, except aldermen, shall hold their offices for one year and until the election or appointment and qualification of their successors, respectively. All other officers mentioned in this act, and not otherwise officially provided for, shall be appointed by the city council, by ballot, on the second Monday of April, in each year, or as soon thereafter as may be; but the city council may specially authorize the appointment of watchmen and policemen by the mayor, to continue in office during the pleasure of the city council: *Provided*, the mayor or marshal may be authorized to remove them from office for good cause. All officers elected or appointed to fill vacancies shall hold for the unexpired term, only, and until the election, or appointment and qualification of their successors. Term of office.

Eligibility of
mayor.

§ 5. No person shall be eligible to the office of mayor who shall not, after the first election held under this charter, have been a resident of the city for one year next preceding his election, or who shall be under twenty-one (21) years of age, or who shall not at the time of his election be a citizen of the United States, and shall be a freeholder of property located within the bounds of said city.

Qualification
of members.

§ 6. No person shall be an alderman, unless he shall be, at the time of his election, twenty-one (21) years of age, a citizen of the United States, a resident of the ward for which he is elected, and shall be a freeholder of property located within the bounds of said city, and, after the first election under this charter, shall have resided one year within the limits of said city.

Quorum.

§ 7. If, from any cause, there shall not be a quorum of aldermen, the clerk shall appoint the time and place of holding a special election to supply such vacancies, and appoint judges thereof, if necessary. If any alderman shall remove from the ward represented by him, his office shall thereby become vacant. If, from any cause, the officers therein named shall not be appointed on the second Monday of April, in each year, the city council may adjourn from time to time until such appointments are made. If there should be a failure by the people to elect any officers herein required to be elected, the city council may forthwith order a new election.

Removal from
office.

§ 8. Any officer elected or appointed to any office, may be removed from such office, by a vote of three fourths ($\frac{3}{4}$) of the aldermen authorized by law, to be elected; but no officer shall be removed, except for good cause, nor unless first furnished with the charges against him, and heard in his defense. And the city council shall have power to compel the attendance of witnesses and the production of papers, when necessary for the purpose of such trial; and shall proceed, within ten (10) days, to hear and determine upon the merits of such case; and if such officer shall neglect to appear and answer such charge, then the city council may declare such office vacated: *Provided*, this section shall not be deemed to apply to any officer appointed by the city council. Such officer may be removed at any time by a vote of three-fourths ($\frac{3}{4}$) as aforesaid, in their discretion; but any officer may be suspended until the disposition of the charges, when preferred.

New election.

§ 9. Whenever any vacancy shall occur in the office of mayor or alderman, such vacancy shall be filled by new election; and the city council shall order such special election within ten (10) days after the happening of such vacancy. Any vacancy occurring in any other office may be filled by appointment of the city council; but no special election shall be held to fill vacancies if more than nine (9) months of the time has expired.

§ 10. All citizens of the United States, resident in said city, and qualified to vote at any election held under this act, shall be qualified to hold any office created by this act, except as herein otherwise provided; but no person shall be eligible to any office under this or any other act in relation to said city, who is now or may hereafter be a defaulter to said city or the state of Illinois; and any person shall be considered a defaulter who has refused or neglected, or may hereafter refuse or neglect, for thirty days after demand made, to account for and pay over to the party authorized to receive the same, any public money which may have come into his possession. And if any person holding any such office or place within the city shall become a defaulter while in office, the office or place may thereupon be declared vacant by the city council.

Qualifications
for office.

§ 11. When two or more candidates for any elective office shall have an equal number of votes for such office, the election shall be determined by the casting of lots, in the presence of the city council.

Tie vote, how
decided.

ARTICLE III.

SECTION 1. A general election of all the officers of the corporation, required to be elected by this act, or any ordinance of the city, shall be held in the city, on the second Tuesday of April, in each year, at such place as the city council may appoint, and of which six days' public notice shall previously be given, by written or printed notices, in three (3) public places in the city, or by publication in the newspaper publishing the ordinances of the city, by the city clerk.

Election, time
and place of.

§ 2. The manner of conducting and voting at the elections held under this act, and contesting the same, the keeping the poll list, canvassing the votes, and certifying the returns, shall be the same, as nearly as may be, as is now or may be hereafter provided by law at general state elections: *Provided*, the city council shall have power to regulate elections and the appointment of judges thereof. The voting shall be by ballot, and the judges of election shall take the same oath and shall have the same powers and authority as the judges of general elections. After the closing of the polls, the ballots shall be counted in the manner provided by law, and the returns shall be returned, sealed, to the city clerk, within three (3) days after the election; and thereupon the city council shall meet and canvass the same, and declare the result of the election. The person having the highest number of votes for any office shall be declared elected. It shall be the duty of the city clerk to notify all persons elected or appointed to office of their election or appointment; and unless such persons shall

Manner of vot-
ing and con-
ducting elec-
tions.

Duties of
judges of elec-
tion.

Notice to offi-
cers elected.

qualify within twenty (20) days thereafter, the office shall become vacant.

Qualifications
of voters.

§ 3. No person shall be entitled to vote at any city or ward election who is not entitled to vote at state elections, and has not been a resident of said city at least two (2) months next preceding said election. He shall have been, moreover, an actual resident of the ward in which he proposes to vote for ten (10) days previous to such election, and, if required by any judge or qualified voter, shall take the following oath, before he is permitted to vote: "I swear (or affirm) that I am of the age of twenty-one (21) years, that I am a citizen of the United States (or was a resident of this state at the time of the adoption of the constitution), and have been a resident of this state one year, and a resident of this city two (2) months immediately preceding this election, and am now and have been for the last ten (10) days past a resident of this ward, and have not voted at this election:" *Provided*, that the voter shall be deemed a resident of the ward in which he is accustomed to lodge.

No arrests on
election day.

§ 4. The persons entitled to vote at any election held under this act, shall not be arrested on civil process within said city upon the day on which said election is held; and all persons illegally voting at any election held under this act, or the ordinances of the city in pursuance thereof, shall be punishable according to the laws of the state.

ARTICLE IV.

Oath of office.

SECTION 1. Every person chosen or appointed to an executive, judicial or administrative office under this act shall, before he enters upon the duties of his office, take and subscribe the oath of office prescribed in the constitution of this state, and file the same, duly certified by the officer before whom it was taken, with the city clerk.

Oath of mayor.

§ 2. The mayor shall, before he enters upon the duties of his office, in addition to the usual oath, swear or affirm "that he will devote so much of his time to the duties of his office, as an efficient and faithful discharge thereof may require." He shall preside over the meetings of the city council, and shall take care that the laws of this state and the ordinances of this city are duly enforced, respected and observed within the city, and that all other officers of the city discharge their respective duties. He shall cause negligence and positive violation of duty to be prosecuted and punished. He shall, from time to time, give the city council such information, and recommend such measures as he may deem advantageous to the city.

Presiding officer
of council.

Enforce ordi-
nances.

§ 3. He is hereby authorized to call upon any and all white male inhabitants of the city or county, over the age of eighteen (18) years, to aid in the enforcing the laws of the state or the ordinances of the city; and, in case of a riot,

to call out the militia, or any other available force, to aid in suppressing the same; and any person who shall not obey such call, shall forfeit to the city a fine of not less than five (5) dollars.

§ 4. He shall have power, whenever he may deem it necessary, to require of any of the officers of the city an exhibit of his books and papers; and he shall have power to execute all acts that may be required of him by this act, or any ordinance made in pursuance thereof. Requirements of officers.

§ 5. He shall be liable to indictment in the circuit court of Lake county for palpable omission of duty, willful oppression, misconduct or partiality in the discharge of the duties of his office, and, upon conviction, shall be subject to a fine not exceeding one hundred (100) dollars; and the court shall have power, upon the recommendation of the jury, to add, as a part of the judgment, that he be removed from office. Malconduct of mayor.

§ 6. He shall receive such salary as may be fixed by ordinance. Salary of mayor

§ 7. All ordinances and resolutions shall, before they take effect, be placed in the office of the city clerk, and if the mayor approve thereof, he shall sign the same; and such as he shall not approve, he shall return to the city council, with his objections thereto. Upon the return of any ordinance or resolution by the mayor, the vote by which the same was passed shall be reconsidered; and if, after such reconsideration, a majority of all the members elected to the city council shall agree, (by the ayes and noes, which shall be entered upon the journal,) to pass the same, it shall go into effect; and if the mayor shall neglect to approve or object to any such proceedings for a longer period than three (3) days after the same shall be placed in the clerk's office, as aforesaid, the same shall go into effect. He shall, *ex officio*, have power to administer any oath required to be taken by this or any law of the state, to take depositions, the acknowledgment of deeds, mortgages, and all other instruments of writing, and certify the same, under the seal of the city, which shall be good and valid in law. Ordinances to be approved by the mayor.

§ 8. In case of vacancy in the office of mayor, or of his being unable to perform the duties of his office, by reason of temporary or continued absence or sickness, the city council shall appoint one of its members, by ballot, to preside over its meetings, whose official designation shall be "Acting Mayor;" and the alderman so appointed shall be vested with all the powers and perform all the duties of mayor, until he shall resume his office, or the vacancy shall be filled by a new election. Reconsideration of vote.

§ 9. The members of the city council shall be, *ex officio*, fire wardens and conservators of the peace within the city, and shall be exempt from jury duty and street labor, or the payment of street taxes, during their term of office. Vacancy in office of mayor.

Conservator of the peace.

Clerk's duties.

§ 10. The clerk shall keep the corporate seal, and all papers and books belonging to the city. He shall attend all the meetings of the city council, and keep a full record of their proceedings on the journal; and copies of all papers, duly filed in his office, and transcripts of the journals of the proceedings of the city council, certified by him, under the corporate seal, shall be evidence in all courts, in like manner as if the originals were produced. He shall likewise draw all warrants on the treasury, and countersign the same, and keep an accurate account thereof in a book provided for that purpose. He shall also keep an accurate account of all receipts and expenditures, in such manner as the city council shall direct.

Attorney.

§ 11. It shall be the duty of the city attorney to perform all professional services incident to his office, and, when required, to furnish written opinions upon questions and subjects submitted to him by the mayor, or city council or its committees.

Treasurer.

§ 12. The city treasurer shall receive all moneys belonging to the city, and shall keep an accurate account of all receipts and expenditures, in such manner as the city council shall direct. All moneys shall be drawn from the treasury, in pursuance of an order of the city council, by a treasury warrant, signed by the mayor or the presiding officer of the city council, and countersigned by the city clerk. Such warrant shall specify for what purpose and from what fund the amount therein named is to be paid. The treasurer shall exhibit to the city council, at least twenty (20) days before the annual election of each year, and oftener if required, a full and detailed account of all receipts and expenditures since the date of the last annual report, and also the state of the treasury; which account shall be filed in the office of the clerk.

Bonds, securities, etc.

§ 13. Before entering upon the duties of his office, the city treasurer shall give a bond, in a sum at least twice as large as the probable amount of moneys to be received or held by said treasurer—the amount of the same to be fixed by the city council, with two (2) sureties, to be approved by the city council.

Marshal.

§ 14. The city marshal shall perform such duties as shall be prescribed by the city council for the preservation of the public peace, the collection of license moneys, fines or otherwise. He shall possess the powers and authority of a constable of Lake county, at common law and under the statutes of this state, and receive like fees, but shall not serve civil process without first entering into bond as such constable, to be approved by the county court of Lake county, as in other cases. He shall execute and return all process issued by any proper officer, under this act, or any ordinance in pursuance thereof. He shall be, *ex officio*, city collector.

§ 15. The city engineer or surveyor shall have the sole power, under the direction and control of the city council, to survey within the city limits; and he shall be governed by such rules and ordinances, and receive such fees and emoluments for his services, as the city council shall direct and prescribe. He shall possess the same powers, in making plats and surveys within the city, as is given by law to county surveyors; and the like effect and validity shall be given to his acts and to all plats and surveys made by him as are or may be given by law to the acts, plats and surveys of the county surveyor. He shall, when required, superintend the construction of all public works ordered by the city, make out the plans and estimates thereof, and contract for the erection of the same. He shall perform all surveying and engineering ordered by the city council, and shall, under their direction, establish the grades and boundaries of streets and alleys; but such plans, estimates and contracts, grades and boundaries shall be first reported to the city council, and approved by them, or they shall not be valid.

Engineer and surveyor.

Powers of the surveyor.

Duties of.

§ 16. The assessor shall perform all duties in relation to the assessing of property, for the purpose of levying the taxes imposed by the city council. In the performance of his duties, he shall have the same powers as are or may be given by law to county or town assessors, and be subject to the same liabilities. On completing the assessment rolls for city purposes, and having revised and corrected the same, he shall sign and return them to the city council. The city collector shall collect all taxes and assessments which may be levied by the city council, and perform such other duties as may be herein prescribed, or ordained by the city council.

Assessor.

Collector.

§ 17. The supervisor shall superintend all public works and local improvements in the city, and carry into effect all orders of the city council in relation thereto. It shall also be his duty to superintend and supervise the opening of streets and alleys, and the grading, improving and repairing thereof, and the construction and repairing of bridges, culverts and sewers; to order the laying, relaying and repairing of sidewalks; to give notice to persons owning property adjoining such sidewalks, when required, and upon the failure of any person to comply with such notice, to cause the same to be laid, relaid or repaired, and apportion the costs thereof among the persons or lots properly chargeable therewith, and deliver the account thereof to the city clerk, to be laid before the city council; to make plans and estimates of any work ordered in relation to streets and alleys, bridges, culverts and sewers; to keep full and accurate accounts, in appropriate books, of all appropriations made for work pertaining to his office, and of all disbursements thereof, specifying to whom made and on what account; and he shall render monthly accounts thereof to the

Supervisor.

Sidewalks.

Assistant.

city council. It shall be lawful for the supervisor to appoint and have an assistant or deputy in each ward of the city, to be approved by the city council, who shall, under the control and direction of the supervisor, exercise the powers and duties of the supervisor within such ward, respectively; and the official acts of all such deputies shall have the same force and authority as those of the supervisor; but the supervisor shall in all cases be responsible for the acts of such deputies.

Further duties
of officers.

§ 18. The city council shall have power, from time to time, to require further and other duties of all officers elected or appointed to any office under this act, whose duties are or are not herein specifically mentioned, and fix their compensation. They may also require all officers, severally, before they enter upon the duties of their respective offices, to execute a bond to the city of Lake Forest, in such sums and with such securities as they may approve, conditioned that they shall faithfully execute the duties of their respective offices, and account for and pay over and deliver all moneys and other property received by them; which bond, with the approval of the city council certified thereon by the city clerk, shall be filed in his office.

Surrender of
property, etc.
to successor.

§ 19. If any person, having been an officer of said city, shall not, within ten (10) days after notification and request, deliver to his successor in office all the property, books, papers and effects, of every description, in his possession, belonging to said city, or appertaining to his said office, he shall forfeit and pay, for the use of the city, fifty (\$50) dollars, besides all damages caused by his refusal or neglect so to deliver; and such successor may recover possession of the books, papers and effects belonging to his office, in the manner prescribed by the laws of the state.

Commissioned
by the governor.

§ 20. All officers, except mayor, elected or appointed under this act, shall be commissioned by warrant, under the corporate seal, signed by the mayor or presiding officer of the city council, and clerk.

ARTICLE V.

MAYOR'S COURT.

[Court established,
powers and
duties thereof.

SECTION 1. There is hereby established in said city an inferior court of civil and criminal jurisdiction, by the name of "The Mayor's Court of the City of Lake Forest." Said court shall have jurisdiction in all cases arising under the ordinances of said city, and shall have such criminal and civil jurisdiction, within the limits of said city, as is or may be conferred on justices of the peace, generally, under the laws of this state; and all proceedings in said court shall be conducted, as near as may be, as like proceedings are conducted before justices of the peace. Judgments ren-

dered by said court shall have the same force and effect as judgments rendered by justices of the peace.

§ 2. Appeals shall be allowed from judgments rendered by said court, to be taken and prosecuted the same and in the same manner as from judgments of justices of the peace. All process from said court may be served by the city marshal or any constable of Lake county. Appeals allowed

§ 3. The mayor shall be entitled to such fees as are allowed to justices of the peace for like service. Fees of mayor.

ARTICLE VI.

POWERS OF THE CITY COUNCIL, AND DUTIES.

SECTION 1. The mayor and aldermen shall constitute the city council of the city. The city council shall meet at such time and place as they shall, by resolution, direct. The mayor, when present, shall preside at all meetings of the city council, and shall have only a casting vote. In his absence, any one of the aldermen may be appointed to preside. City council.

§ 2. No member of the city council shall be appointed to or be competent to hold any office of which the emoluments are paid from the city treasury or paid by fees directed to be paid by any act or ordinance of the city council, or be directly or indirectly interested in any contract, the expenses or consideration whereof are to be paid under any ordinance of the city council, or be allowed to vote in any matter in which he is directly interested, personally or pecuniarily. Aldermen not to hold other offices.

§ 3. The city council shall hold twelve (12) stated meetings, one in each month, during the year; and the mayor or any two (2) aldermen may call special meetings, by notice to each of the members of the city council, served personally or left at their usual places of abode. That said city of Lake Forest shall not at any time issue city bonds for a greater amount than five (5) thousand dollars, or for any sum, if the indebtedness of the city amounts to five thousand dollars, without submitting the question of issuing such bonds to a vote of the legal voters of said city; which vote or election shall be held as elections are now held under this charter for the election of such officers of the corporation as by this act are required to be elected by a vote of the people. If there is a majority in favor of issuing bonds, then it shall be lawful for the corporation, acting through the proper officer, to issue bonds. Petitions and remonstrances may be presented to the city council, and they shall determine the rule of their own proceedings, and be the judges of the election and qualification of their own members, and shall have power to compel the attendance of absent members. Stated meetings

Control of finances.

§ 4. The city council shall have the control of the finances of and all the property, real, personal and mixed, belonging to the corporation, and shall, likewise, have power, within the jurisdiction of the city, by ordinance—

May borrow money on credit of city.

First.—To borrow money on the credit of the city, and issue the bonds of the city therefor; but no sum of money shall be borrowed at a higher rate of interest than the rate allowed by law; nor shall a greater sum or sums be borrowed, or at any time outstanding, the interest upon the aggregate of which shall exceed the one-half of the city revenue arising from the ordinary taxes within the city for the year immediately preceding; and no bonds shall be issued or negotiated at more than ten (10) per cent. below par value; and, when so issued and negotiated, the interest on the same shall not exceed eight per cent. per annum.

Debts and expenses of the city.

Second.—To appropriate money and provide for the payment of the debts and expenses of the city; to provide for the payment of all proper expenses incurred by officers of the city in discharge of any duties imposed upon them by their respective offices; and in all cases when offenders against the laws are apprehended, by the officers of said city or by other persons by said officers employed, it shall be the duty of the city council to provide for the payment of the reasonable expenses incurred in said service, including the compensation of the persons so employed.

Contagious diseases.

Third.—To make regulations to prevent the introduction of contagious diseases into the city; to make quarantine laws for that purpose, and to enforce them within the city.

General health.

Fourth.—To make regulations to secure the general health and comfort of the inhabitants; to prevent, abate and remove nuisances, and punish the authors thereof by penalties, fines and imprisonment; to define and declare what shall be deemed a nuisance, and authorize and direct the summary abatement thereof; to prevent indecencies within the corporation, and on Lake Michigan within one mile of the shore thereof; and to license and authorize the erection of piers or wharves extending into said lake.

Wells, hydrants and cisterns.

Fifth.—To provide the city with water; to make, regulate and establish public wells, pumps and cisterns, hydrants and reservoirs, in the streets, within the city or beyond the limits thereof, for the extinguishment of fires and the convenience of the inhabitants, and to prevent the unnecessary waste of water.

Power to improve streets.

Sixth.—To have the exclusive jurisdiction, control and power over the streets, alleys and highways of the city, and to abate and remove any encroachments or obstructions thereon; to open, alter, abolish, widen, extend, straighten, establish, regulate, grade, clean or otherwise improve the same; to put drains and sewers therein, and prevent the incumbering thereof in any manner, and protect the same from any encroachment or injury.

Seventh.—To establish, erect, construct, regulate and ^{Erect bridges.} keep in repair bridges, culverts and sewers, sidewalks and crossings, and regulate the construction and use of the same, and abate any obstructions or encroachments thereof; to establish, alter, change and straighten the channels of water courses and natural drains in the streets and avenues of the city, and to sewer the same or wall them up and cover them over.

Eighth.—To provide for lighting the streets and erect- ^{Lighting streets} ing lamp posts and lamps therein, and regulate the lighting thereof, and, from time to time, create, alter or extend lamp districts; to exclusively regulate, direct and control the laying and repairing the gas pipes and gas fixtures in the streets, alleys and sidewalks.

Ninth.—To establish markets and public buildings of the ^{Markets and} city, and provide for the government and regulation thereof, ^{market houses.} and their erection and location.

Tenth.—To provide for the inclosing, regulating and im- ^{Public grounds.} proving all public grounds and cemeteries belonging to the city; and to direct and regulate the planting of and preserving of ornamental and shade trees, in the streets or public grounds, and the preservation of the same from injury on private grounds or property.

Eleventh.—To erect and establish one or more hospitals ^{To establish} and dispensaries, and control and regulate the same; to ^{hospitals.} purchase and procure, for the use of the city, fire engines, and to organize and equip a fire department, and to make such rules, regulations and provisions concerning the same, and for prevention of fires, generally, within said city, as said city council may deem proper; and may require of the inhabitants of said city, in and about their dwellings and on their lands, such precautions as will tend to avert loss or injury by fire.

Twelfth.—To prevent the incumbering of the streets, ^{Incumbering} alleys, sidewalks or public grounds, with carriages, wagons, ^{streets.} carts, wheelbarrows, boxes, lumber, timber, firewood, posts, awnings, signs, or any other substance or material whatever; to compel all persons to keep the snow, ice, dirt and other rubbish from the sidewalks and street gutters in front of the premises occupied by them.

Thirteenth.—To license, tax and regulate merchants, ^{Licenses and} commission merchants, inn-keepers, brokers, money-bro- ^{taxes by council} kers, insurance brokers and auctioneers, and to impose duties on the sale of goods at auction; to license, tax, regulate, suppress and prohibit hawkers, peddlers, pawnbrokers, grocery keepers and keepers of ordinaries, theatrical or other exhibitions, shows and amusements.

Fourteenth.—To license, tax, regulate and suppress hack- ^{Hackmen,} men, draymen, omnibus drivers, porters and all others pur- ^{draymen and} ^{carters.} suing like occupations, with or without vehicles, and pre-

scribe their compensation; and to regulate and restrain runners for stages, cars and public houses.

Billiard tables
and ten pin al-
leys.

Fifteenth.—To license, tax, regulate, prohibit and suppress billiard tables, pin alleys; to suppress and restrain disorderly houses, tippling shops and saloons, bawdy houses, gaming and gambling houses, lotteries and all fraudulent devices and practices, and all playing of cards, dice and other games of chance, with or without betting, and to authorize the destruction of all instruments and devices used for the purpose of gaming.

Authorize pro-
per officers to
grant licenses.

Sixteenth.—To authorize the proper officer of the city to grant and issue licenses for all proper purposes, and to direct the manner of issuing and registering thereof, and the fees and charges to be paid therefor. No license shall be granted for more than one year; and not less than three (3) dollars nor more than five hundred (500) dollars shall be charged for any license under this act, and the fees for issuing the same shall not exceed one dollar.

Sale of liquors.

Seventeenth.—To license, restrain, regulate and prohibit the selling or giving away of any intoxicating or malt liquors, by any person, within the city; to forbid and punish the selling or giving away of any intoxicating or malt liquors to any child, minor, apprentice, servant or Indian.

Forestalling
and regrating.

Eighteenth.—To prevent, restrain and punish forestalling and regrating; to regulate the inspecting and vending of fresh meats, poultry and vegetables, of butter, lard and other provisions, and the place and manner of selling fish and inspecting the same.

Butchers.

Nineteenth.—To regulate, license and prohibit butchers, and to revoke their licenses, for malconduct in the course of trade.

Combustibles.

Twentieth.—To regulate the keeping and conveying of gunpowder and other combustible and dangerous materials, and the use of candles and lights in barns, stables and out-houses.

Weights and
measures.

Twenty-first.—To establish standard weights and measures, and regulate the weights and measures to be used within the city, in all cases not otherwise provided by law; to require all traders and dealers in merchandise or property, of any description, which is sold by measure or weight, to cause their measures and weights to be tested and sealed by the city sealer, and to be subject to his inspection. The standard of such weights and measures shall be conformable to those established by law of this state.

Inspection of
lumber, etc.

Twenty-second.—To regulate and provide for the inspecting and measuring of lumber, shingles, timber, posts, staves, heading and all kinds of building materials, and for the measuring of all kinds of mechanical work, and to appoint one or more inspectors or measurers.

Forage and fuel.

Twenty-third.—To provide for the inspection and weighing of hay, lime and stone-coal, and the place and manner

of selling the same; to regulate the measurement of fire-wood, charcoal and other fuel, to be sold or used within the city, and the place and manner of selling the same.

Twenty-fourth.—To regulate the inspection of beef, pork, flour, meal and other provisions, salt, whisky and other liquors, to be sold in barrels, hogsheads and other vessels or packages; to appoint weighers, gaugers and inspectors, and prescribe their duties, and regulate their fees: *Provided*, that nothing herein contained shall be so construed as to require the inspection of any articles enumerated herein, which are to be shipped beyond the limits of the state, except at the request of the owner thereof or his agent.

Beef, pork
and flour.

Twenty-fifth.—To regulate the weight and quality of bread, to be sold or used within the city.

Price of bread.

Twenty-sixth.—To regulate the size and quality of bricks, to be sold or used within the city, and the inspection thereof.

Size of bricks.

Twenty-seventh.—To prevent and suppress any riot, rout, affray, noise, disturbance or disorderly assembly, in any public or private place within the city.

Riots, affrays,
noises, etc.

Twenty-eighth.—To create, establish and regulate the police of the city; to appoint watchmen and policemen, and prescribe their duties and powers.

Regulate police.

Twenty-ninth.—To prohibit, prevent and suppress horse-racing, immoderate riding or driving in the streets, and to authorize persons immoderately riding or driving, as aforesaid, to be stopped by any persons; to prohibit and punish the abuse of animals; to compel persons to fasten their horses or other animals, attached to vehicles or otherwise, while standing or remaining in the streets.

Horse-racing
and fast driving.

Thirtieth.—To restrain and punish vagrants, mendicants, street beggars and prostitutes.

Vagrants, etc.

Thirty-first.—To regulate, restrain or prohibit the running at large of horses, cattle, swine, sheep, goats and geese, and to authorize the distraining, impounding and sale of the same, for the costs of the proceedings, and the penalty incurred, and to impose penalties on the owners thereof.

Running at
large of horses
and cattle.

Thirty-second.—To prohibit and restrain the rolling of hoops, flying of kites, and other amusements or practices tending to annoy persons passing on the streets or sidewalks, or to frighten horses or teams; to restrain and prohibit the ringing of bells, blowing of horns or bugles, crying of goods, and all other noises, performance and practices tending to the collecting of persons on the streets and sidewalks, by auctioneers and others, for the purpose of business, amusement or otherwise.

Rolling of
hoops, etc.

Thirty-third.—To do all acts and make all regulations which may be necessary or expedient for the promotion of health and the suppression of disease.

Sanitary regu-
lations.

Thirty-fourth.—To compel the owner or occupant of any grocery, cellar, soap or tallow chandler, or blacksmith shop,

Clean alleys, etc.

tannery, stable, privy, sewer or other unwholesome or nauseous house or place, to cleanse, remove or abate the same, as may be necessary for the health, comfort and convenience of the inhabitants.

Breweries, etc.

Thirty-fifth.—To direct the location and regulate the management and construction of breweries, tanneries, blacksmith shops, foundries, livery stables and packing houses; to direct the location and regulate the management and construction of, and restrain, abate and prohibit, within the city and to the distance of one mile from the limits thereof, distilleries, slaughtering establishments, establishments for steaming or rendering lard, tallow, offal and such other substances as may be rendered, and all other establishments or places where any nauseous, offensive or unwholesome business may be carried on.

Regulate the burial of dead.

Thirty-sixth.—To regulate the burial of the dead; to establish and regulate one or more cemeteries; to regulate the registration of births and deaths; to direct the returning and keeping of bills of mortality, and to impose penalties on physicians and sextons and others for any default in the premises.

Enumeration of inhabitants.

Thirty-seventh.—To provide for the taking an enumeration of the inhabitants of the city.

House of correction.

Thirty-eighth.—To erect and establish a work house or house of correction, make all necessary regulations therefor, and appoint all necessary keepers or assistants. In such work house, or house of correction, may be confined all vagrants, stragglers, idlers, and disorderly persons, who may be committed thereto by any proper officer; and all persons sentenced by any criminal court or magistrate for the city or for the county of Lake, for any assault and battery, petit larceny, or other misdemeanor punishable by imprisonment in any county jail, and any person who shall fail or neglect to pay any fine, penalty or costs imposed by any ordinance of the city, for any misdemeanor, breach of any ordinance of the city, may, instead of being committed to the county jail of Lake county, be kept therein, subject to labor and confinement.

Destitute children.

Thirty-ninth.—To authorize and direct the taking up and providing for the safe keeping and education, for such periods of time as may be deemed expedient, of all children who are destitute of proper parental care, wandering about the streets, committing mischief, and growing up in mendicancy, ignorance, idleness and vice.

Clean private premises.

Fortieth.—To fill up, drain, cleanse, alter, relay, repair and regulate private drains, sinks and privies; direct and regulate their construction, and cause the expense thereof to be assessed and collected in the same manner as sidewalk assessments.

Railroad tracks and crossings.

Forty-first.—To have exclusive right and power to direct and control the laying and construction of horse railways,

railroad tracks, switches, bridges, turn-outs, in the streets and alleys, and the location of depot grounds within the city; to require that railroad tracks, bridges, turn-outs and switches shall be so constructed and laid as to interfere as little as possible with the ordinary travel and use of the streets and alleys, and that sufficient space shall be left on either side of said tracks, for the safe and convenient passage of teams and persons; to require railroad companies to keep in repair the streets through which their track may run, and to construct and keep in repair suitable crossings at the intersection of streets and alleys and ditches, sewers and culverts, when the city council shall deem necessary; to direct and prohibit the use and regulate the speed of locomotive engines within the inhabited part of said city; to prohibit and restrain railroad companies from doing storage or warehouse business, or collecting pay for storage; and no railroad or horse railroad shall run or pass through any part of said city, without the consent of the city council of said city.

Forty-second.—To provide for the erection of a pier or piers on the shore of Lake Michigan, and a break-water or other means of preventing the encroachments on said shore by the water of the lake; and shall have the further power, to charter or incorporate a pier or dock company, granting to said company all proper franchise relating to the construction and use of a dock or docks upon said shore of said lake. Erection of piers

Forty-third.—The city council shall have power to pass, publish, amend and repeal all ordinances, rules and police regulations, not contrary to the constitution of the United States or this state, for the good government, peace and order of the city and the trade and commerce thereof, that may be necessary or proper, to carry into effect the powers vested by this act in the corporation, the city government or any department or officer thereof; to enforce the observance of all such rules, ordinances and police regulations, and to punish violations thereof by fines, penalties and imprisonment in the county jail, city prison or work house, or both, in the discretion of the court or magistrate before whom conviction may be had; but no fine or penalty shall exceed five hundred (500) dollars, nor the imprisonment six (6) months, for any offense; and such fine or penalty may be recovered, with costs, in an action of debt, in the name or for the use of the city, before any court having jurisdiction, and punishment inflicted; and any person upon whom any fine or penalty is imposed, shall stand committed until the payment of the same and costs, and, in default thereof, may be imprisoned in the county jail, city prison or work house, or required to labor on the streets or other public works of the city, for such time and in such manner as may be provided by ordinance. Power to pass laws for government of the city.

ARTICLE VII.

OF TAXATION.

SECTION 1. The city council shall have power, within the city, by ordinance—

Levy taxes for
general purpo-
ses.

First.—To levy and collect, annually, taxes on the assessed value of all real and personal estate and property within the city, and all personal property of the inhabitants thereof made taxable by the laws of the state for state purposes, to defray the general, special and contingent expenses of the city and all other appropriations not otherwise provided for.

Inhabitants re-
quired to labor
on streets and
alleys within the
city limits.

Second.—To require, and it is hereby made the duty, of every male resident of the city, over the age of twenty-one (21) years, to labor three days in each year upon the streets and alleys of the city; but any person may, at his option, pay, in lieu thereof, such sum as the city council shall designate as the price or value of such labor: *Provided*, the same shall be paid within ten (10) days after notification by the supervisor: *And, provided, further*, that ten (10) hours of labor shall be required to constitute a day's work, under this section. In default of payment, as aforesaid, the sum aforesaid and twenty-five (25) per cent. added thereto and costs, may be collected; and no set off shall be allowed in any suit brought to collect the same: *Provided*, that any person who shall make said city his place of abode for the space of sixty (60) days shall be deemed a resident of said city, for the purposes of this section.

Assessments.

§ 2. All personal property of the inhabitants of said city, within said city, made taxable by the laws of the state, and all other personal property therein, shall be assessed and taxable within said city; and said inhabitants shall, as in other cases required by law, render and state unto the city assessor a full and accurate statement, when called upon, of all moneys, rights, credits, bank stock, railroad and other stock, in any corporate company, wherever the same may be, and all personal property and effects of every name and nature, as aforesaid.

ARTICLE VIII.

PUBLIC IMPROVEMENTS AND ASSESSMENTS THEREFOR.

Streets, alleys
and highways.

SECTION 1. The city council shall have power to open and lay out public grounds or squares, parks, streets, alleys and highways, and to alter, widen, contract, straighten and discontinue the same; but no street, alley or highway, or any part thereof, shall be discontinued or contracted, without the consent, in writing, of the owners of three-fourths of the land or lots adjoining said street, alley or highway. They shall cause all streets, alleys and highways, or public

squares or parks or grounds, laid out by them, to be surveyed, described and recorded in a book to be kept by the clerk, showing, accurately and particularly, the proposed improvements and the real estate required to be taken; and the same, when opened and made, shall be public highways and grounds.

§ 2. Whenever any street, alley or highway, park or public ground, is proposed to be laid out, opened, altered, widened or straightened, by virtue hereof, and the amount of compensation cannot be agreed upon, the city council shall give notice of their intention to appropriate and take the land necessary for the same, to the owner thereof, by publishing said notice for ten (10) days in the corporation newspaper, or by posting the same in the manner to be provided by ordinance; at the expiration of which time they shall choose, by ballot, three (3) disinterested freeholders, residing in the city, as commissioners, to ascertain and assess the damages and compensation due the owners of said real estate, respectively. A majority of all the aldermen authorized by law to be elected shall be necessary to a choice of such commissioners.

When unable to agree with owners for land or material, how to proceed.

§ 3. The commissioners shall be sworn faithfully and impartially to execute their duties to the best of their abilities, before entering upon their duties. They shall give at least five (5) days' notice to all persons interested, of the time and place of their meeting, for the purpose of viewing the premises and making their assessment; which notice shall be given personally, if the owners are residents and known, or by publication, if non-residents or unknown. They shall view the premises, and in their discretion receive any legal evidence, and may, if necessary, adjourn from day to day.

Commissioners to appraise the value of land.

§ 4. If there should be any building standing, in whole or in part, upon the land to be taken, the commissioners, before proceeding to make their assessments, shall first estimate and determine the whole value of such building to the owner, aside from the value of the land, and the actual injury to him, in having such building taken from him, and, secondly, the value of such building to him to remove.

Buildings taken

§ 5. At least five (5) days' notice shall be given to the owner, when known and a resident of the city, which may be given personally, or in writing, left at his usual place of abode. If a non-resident, or unknown, like notice to all persons interested, shall be given by publication. Such notice shall specify the buildings and the award of the commissioners and shall be signed by them. It shall also require the persons interested to appear by a day to be named therein, or give notice of their election to the city council either to accept the award of the commissioners, and allow such building to be taken with the land condemned or appropriated, or of their intention to receive such building at the value set thereon by the commissioners to remove. If the

Notice to owner.

owner shall agree to remove such building, he shall have such reasonable time for that purpose as the city council may direct.

When owner
refuses to take
at valuation.

§ 6. If the owner refuses to take the building at its appraised value to remove, or fails to give notice of his intention as aforesaid, within the time prescribed, the city council shall have power to direct the sale of such building at public auction, for cash or on credit, giving five (5) days' public notice of the sale. The proceeds of the sale shall be paid to the owner, or deposited to his use.

Valuation.

§ 7. The commissioners shall thereupon proceed to make their assessment, and determine and appraise to the owner the value of the estate appropriated, and the injury arising from the condemnation thereof, which shall be awarded to such owner as damages. In the estimate of damages to the land, the commissioners shall include the value of the buildings, if the property of the owner of the land, as estimated by them, as aforesaid, less the proceeds of the sale thereof; or if taken by the owner, at the value to remove, in that case they shall only include the difference between such value and the whole estimated value of such building.

Leases and
mortgages.

§ 8. If the lands and buildings belong to different persons, or if the land be subject to lease or mortgage, the injury done to such persons, respectively, may be awarded to them by the commissioners, less the benefits resulting to them respectively from the improvements.

Notice by pub-
lication.

§ 9. The clerk shall give ten (10) days' notice, by publication, that such assessment has been returned, and on a day to be specified therein, will be confirmed by the city council, unless objections to the same are made by some persons interested. Objections shall be heard before the city council, and the hearing may be adjourned from day to day. The council shall have power, in their discretion, to confirm or annul the assessment, or refer the same back to the commissioners. If annulled, all the proceedings shall be void. If confirmed, an order of confirmation shall be entered. If referred back to the same or other commissioners, they shall proceed to make their assessment and return the same, in like manner, and give like notice, as herein required in relation to the first; and all persons in interest shall have the like notice and rights, and the city council shall perform like duties and have like powers, in relation to any subsequent determination, as are herein given in relation to the first.

Parties aggrieved
may be heard

Removal of
commissioners.

§ 10. The city council shall have power to remove commissioners, and from time to time appoint others in place of such as may be removed, or refuse, neglect, or are unable from any cause to serve.

Possession and
appropriation of

§ 11. The land required to be taken for the making, opening, widening, straightening or altering any street, alley or other highway, or public ground or square, shall

not be appropriated, until the damages awarded therefor to any owner thereof, under this act, shall be paid or tendered to such owner or his agent, or in case such owner or his agent, cannot be found within the city, deposited to his or their credit, in some safe place of deposit, other than the hands of the treasurer; and then, and not before, such lands may be taken and appropriated for the purposes required in making such improvements; and such streets, alleys or other highways, or public grounds may be made and opened.

§ 12. When the whole of any lot or parcel of land or other premises under lease or other contract, shall be taken for any of the purposes aforesaid, by virtue of this act, all the covenants, contracts and engagements between landlord and tenant, or any other contracting parties, touching the same or any part thereof, shall, upon the confirmation of the report of the commissioners, respectively, cease, and be absolutely discharged. Landlords and tenants.

§ 13. When part only of any lot, parcel of land, or other premises, so under lease or contract, shall be taken for any of the purposes aforesaid, by virtue of this act, all the covenants, contracts, agreements and engagements respecting the same, upon the confirmation of the report of the commissioners, shall be absolutely discharged, as to that part thereof so taken, but shall remain valid as to the residue thereof; and the rents, considerations and payment received, payable and to be paid for, in respect to the same, shall be so proportioned, as that the part thereof justly and equitably payable for such residue thereof, and no more, shall be paid or recoverable in any respect of the same. Contracts discharged.

§ 14. Any person interested may appeal from any order of the city council for opening, altering, widening, or straightening any street, alley or other highway or public ground, to the circuit court of Lake county, by notice, in writing, to the mayor, at any time before the expiration of twenty (20) days after the passage of said final order. In case of appeal the city council shall make return, within thirty (30) days after notice thereof, and the court shall, at the next term after return filed in the office of the clerk thereof, hear and determine such appeal, and confirm or annul the proceedings, from which judgment no appeal or writ of error shall lie. Upon trial of an appeal, all questions involved in said proceedings, including the amount of damages, shall be opened to investigation by affidavit or oral testimony adduced to the court, or upon application of the city or any party, the amount of damages may be assessed by a jury of said court, without formal pleading, and judgment rendered accordingly; and the burden of proof shall, in all cases, be upon the city, to show that the proceedings are in conformity with this act. Appeal taken.

Change of proceedings.

§ 15. The city council may, by ordinance, make any changes they may deem advisable in the proceedings herein prescribed, for ascertaining the damages and injury occasioned to any person or real estate, by reason of the condemnation of such real estate, or any real estate upon which any buildings may be situated, in whole or in part, in all such other respects as experience may suggest.

Owner a minor.

§ 16. When any known owner, or other person having an interest in any real estate, residing in the city or elsewhere, shall be an infant, and any proceedings shall be had under this act, the judge of the circuit court of the county Lake, or the county judge of said court, or any judge of the supreme court, may, upon the application, or such infant or his next friend, appoint a guardian for such infant, taking security from such guardian, by bond to the county court, for the faithful execution of such trust; and all notices and summons required by this act shall be served upon such guardian.

Improvement of streets, alleys and highways.

§ 17. The city council shall have power, from time to time, to cause any street, alley or other highway to be graded, regraded, leveled, paved or planked, and keep the same in repair, and alter and change the same.

Second.—To cause cross and sidewalks, main drains and sewers, and provide drains to be constructed and laid, relaid, cleansed and repaired, and regulate the same.

Public grounds.

§ 18. To grade, improve, protect and ornament any parks, squares or other public ground now or hereafter laid out.

Sewerage and drainage.

§ 19. For the purpose of establishing a system of sewerage and drainage the city council shall have power, in their discretion, but may provide for the same otherwise, to cause the city to be laid off into districts, to be drained by principal and lateral or tributary sewers and drains constructed through the streets of the city, having reference to a general plan of drainage by sewers and drains for the whole city, and number and record the same.

Expenses for the removal of nuisances.

§ 20. In all cases where expenses may be incurred in the removal of any nuisance, the city council may cause the same to be assessed against the real estate chargeable therewith, in the same manner prescribed in the foregoing section. Such expenses may be likewise collected of the owner or occupant of such premises, in a suit for money expended to his or their use. And in case the same should not be chargeable to any real estate, suit may in like manner be brought for such expenses against the author of such nuisance, if known, or any person whose duty it may be to remove or abate the same.

Compel owners to keep their grounds clean.

§ 21. The city council shall have power to compel the owners of lots or ground fronting or adjoining any private or public alley, to keep the same clean, and, if necessary, to direct the same to be paved, planked or otherwise, and

the costs thereof to be assessed and collected in the same manner as sidewalk assessments.

ARTICLE IX.

COLLECTION OF TAXES AND ASSESSMENTS.

SECTION 1. The city council shall have power, by ordinance, to prescribe the form of assessment lists, and prescribe the duties and define the powers of assessors. They may also make such rules and give such directions in relation to revising, altering or adding to the lists, as they may deem proper and expedient. Assessment lists, form of.

§ 2. The annual lists shall be returned by the assessor on or before the first Monday in August, in each year; but the time may be extended by order of the city council. On the return thereof, the city council shall fix a day for hearing objections thereto; and the clerk shall give notice of the time and place of such hearing, by publication in the newspaper publishing the ordinances of the city; and any person feeling aggrieved by the assessment of his property, may appear at the time specified and make his objections. The city council shall have power to supply omissions in said assessment lists, and, for the purpose of equalizing the same, to alter, to add to, take from, and otherwise correct and revise the same, or refer the same back to the assessor, with instructions to revise and correct the same. Return of assessment lists.

§ 3. When the assessment lists have been corrected and revised the same shall be filed, and an order confirming the same, and directing the warrant to be issued for the collection thereof, shall be entered by the clerk. The city council shall thereupon, by an ordinance or resolution, levy such sum or sums of money as may be sufficient for the several purposes for which taxes are herein authorized to be levied, not exceeding the authorized percentage. Supply omissions.

§ 4. All taxes and assessments, levied or assessed by the city council under this act or any ordinance in pursuance thereof, shall be a lien upon the real estate upon which the same may be imposed, voted or assessed, for (2) two years from and after the corrected assessment lists shall be confirmed, or the passage of the order for the assessment, and on personal estate from and after the delivery of the warrant for the collection thereof, until paid, and no sale or transfer shall affect the lien. Any personal property belonging to the debtor may be taken and sold for the payment of taxes on real or personal estate; and the real estate shall be liable for the taxes on personal estate, in case of removal or when the tax cannot be made out of the personal estate, in the same manner as is prescribed by the laws of the State: *Provided*, that in case the collection of any assessment shall be delayed by injunction or other judicial Confirmation of special assessments.

Taxes, a lien on real estate.

Injunction.

proceedings, the same shall continue a lien upon the real estate for the period of two (2) years from and after the final disposition of such injunction or other judicial proceeding.

Warrants for
collection of
taxes.

§ 5. The clerk shall issue a warrant or warrants for the taxes, and rule therein separate columns, in which the taxes levied shall be separately set down opposite the name of the person or such real estate subject thereto. Each column shall be headed with the name of the tax therein set down.

Warrant to be
signed and
sealed.

§ 6. All warrants issued for the collection of taxes or assessments, shall be signed by the mayor and clerk, with the corporate seal thereto attached, and shall contain true and perfect copies of the corrected assessment lists, upon which the same may be issued. They shall be delivered to the collector for collection within thirty (30) days after the filing of the corrected lists, unless further time shall be given for this purpose by the city council. If not otherwise paid the collector shall have power to collect said taxes, with interest and costs, by suit, in the corporate name, or by distress and sale of personal property as aforesaid, after a demand and a refusal to pay the same: *Provided*, a notice, published by the collector for ten (10) days, shall be deemed a demand; and a neglect to pay taxes, for twenty days thereafter, shall be deemed a refusal. The assessor's lists shall, in all cases, be evidence on the part of the city.

Non-payment
of taxes.

Duties of city
collector.

§ 7. All taxes and assessments shall be collected by the collector in the same manner and with the same power and authority as is given by law to collectors of county and state taxes. He shall pay the same, as fast as collected, into the city treasury, and his duty in regard to returning warrants and settling with the city, and his liability in case of default or misconduct, shall be the same as prescribed by law in case of other collectors of taxes: *Provided*, the city council shall have power to prescribe the powers, duties and liabilities of collectors by ordinance.

Delinquent tax
sales.

§ 8. In case of the non-payment of any taxes or assessments, levied or assessed under this act, the premises may be sold for the payment thereof at any time within two (2) years after the confirmation of the assessment by the city council. Before any such sale an order shall be made by the city council, which shall be entered at large in the journal or record kept by the clerk, directing the collector to sell, particularly describing the delinquent premises to be sold, and the assessment for which the sale shall be made; a certified copy of which order, under the corporate seal, signed by the mayor or presiding officer, and clerk, shall be delivered to the collector, which, together with the warrant, shall constitute the process upon which such sale may be made.

§ 9. The collector shall then advertise such premises, in the corporate newspaper, or by posting notices in three public places within said city, for sale; at least twenty (20) days from and after the first publication or posting of such notice, describing the premises by numbers, figures or otherwise, with the name of the owner, when known, and the several amounts of the taxes and assessments thereon and costs. Said notice shall also contain the time and place of sale, and shall be published at each regular issue of said paper, (if published therein) from the first insertion thereof unto the day of sale. The proceedings may be stopped at any time on the payment of the taxes or assessments and interest, with expenses of advertising and other costs to such time incurred.

Publication of
delinquent list.

§ 10. All sales shall be conducted in the manner required by law, but the city council shall have power to prescribe the manner of conducting the same. The sale shall be made for the smallest portion of ground (to be taken from the east side of the premises), for which any person will take the same and pay the taxes or assessments thereon, with the interests and costs of sale. Duplicate certificates of sale shall be made and subscribed by the collector, one of which shall be delivered to the purchaser and the other filed in the office of the clerk, in a book to be kept by the clerk for such purpose, and may be in the form of an ordinary letter file. The said certificate shall contain the name of the purchaser, a description of the premises sold, the amount of taxes or assessments, with the interest and expenses for which the same was sold, and the time when the right to redeem will expire. The collector shall be allowed the same fees for selling as are allowed for similar services by law, or his fees may be regulated by ordinance. The clerk shall keep a record of such sales, which shall be open to public inspection at all reasonable times.

Manner of con-
ducting sales.

§ 11. The right of redemption in all cases of sales [for] taxes or assessments, shall exist to the owner, his heirs, creditors or assignees, to the same extent as is allowed by law, in case of sales of real estate for taxes, on the payment, in legal tender funds, of double the amount for which the same was sold, and all taxes accruing subsequent to the sale, at the rate of ten (10) per cent. per annum. If the real estate of any infant, *femme covert*, or lunatic, be sold under this act, the same may be redeemed at any time before or within one year after such disability is removed. In case of redemption, the money may be paid to the purchaser, or for him to the city clerk, who shall make a special deposit thereof with the treasurer, taking his receipt therefor. If not redeemed according to law, upon return of the certificate or proof of its loss, the legal holder thereof shall be entitled to a deed conveying to said purchaser or his assignee the premises so sold and unredeemed, which

Right of re-
demption.

Infant or femme
covert.

deed shall be under the corporate seal and signed by the mayor and countersigned by the city clerk. An abstract of all deeds so made and delivered shall be entered by the clerk in the book wherein tax sales are recorded. A fee of one dollar may be charged by the clerk for any deed so issued.

Deeds for tax sales.

§ 12. The assignee of any tax certificate of any premises sold for taxes or assessments under the authority of the city, shall be entitled to receive a deed of such premises in his own name, and with the same effect as though he had been the original purchaser.

When no bids.

Property may be struck off to the city.

§ 13. If, at any sale of real or personal property, for taxes or general assessments, no bid shall be made for any parcel of the land or goods and chattels, the same shall be struck off and sold to the city, in like manner as other purchasers.

Tax deeds shall be prima facie evidence.

§ 14. All deeds made to the purchasers of lots sold for taxes or assessments, by order of the city council, shall be *prima facie* evidence, in all controversies and suits in relation to the rights of the purchaser, his heirs or assigns, to the premises thereby conveyed, of the following facts:

Advertisement.

First—That the land or lot conveyed was subject to taxation or assessment at the time the same was advertised for sale, and had been duly listed and assessed.

Taxes not paid.

Second—That the taxes or assessments had not been paid at any time before the sale.

Non-redemption

Third—That the land conveyed had not been redeemed from sale at the date of the deed.

Was advertised.

And shall be conclusive evidence of the following facts: *First*—That the land or lot was advertised for sale for the length of time and in the manner required by law, and was sold at a time and in a manner authorized by law.

Sale of land.

Second—That the land or lot was sold for the taxes or assessments, as stated in the deed.

Deed.

Third—That the grantee in the deed was the purchaser. And of the regularity of all other proceedings or acts, pertaining to the said listing, assessment [and] sale, and not herein specified; and in all controversies and suits involving the title to land claimed and held under or by virtue of such deed, the person or persons claiming title adverse to the title conveyed by such deed shall be required to prove, in order to defeat the said title, either that the land was not subject to taxation or assessment at the date of the sale, that the said land has never been listed or assessed for taxation or assessment, that the taxes or assessments had been paid, or that the same had been redeemed according to law, and that such redemption was made for the use and benefit of the person having the right of redemption under the laws of this state.

Sales, manner of conducting.

State law to govern proceedings.

§ 15. In all matters and proceedings relating to the assessment and collection of redeemed or special assess-

ments, not herein and hereby particularly otherwise provided for, the general law of this state, so far as applicable thereto, shall govern in all things thereunto appertaining.

ARTICLE X.

PUBLIC SCHOOLS.

SECTION 1. The care and superintendence of the common or public schools, within the city of Lake Forest, together with the funds and estate, both real and personal, belonging to the districts embraced within the limits of said city, shall devolve upon the city council; and they shall have power to appoint, at any meeting after their annual election in each year, a superintendent of public schools for said city, whose term of office shall be for one year, and until his successor shall be duly elected and qualified; and his duties and the amount of his salary shall be defined by the city council. And the said city council shall have power to make all laws and ordinances necessary and proper for the management of said schools, not inconsistent with the laws and constitution of this state.

Schools controlled by city council.

Superintendent.

§ 2. It shall be the duty of the said superintendent to furnish to the school commissioner of Lake county an abstract of the whole number of children under the age of twenty-one (21) years, residing in the said city, within ten (10) days after the same shall be ascertained; and the said school commissioner shall, annually, pay to the clerk of the city of Lake Forest the proportion of the school, college and seminary fund to which the said city may be entitled, according to the area of said city, and the number of children under the age aforesaid residing in said city—taking his receipt for the same. It shall be the duty of the city clerk, on the receipt of such money, to pay the same over to the treasurer of said city, taking his receipt for the same. The abstract of the number of children, as aforesaid, shall be taken once in two (2) years, in such manner as the city council shall direct.

Abstract of children.

§ 3. All common or public school houses and school property within the limits of said city shall belong to the city; and the city council shall have power, and it shall be their duty, to divide said city into proper school districts, and erect substantial and comfortable school houses [in] each of the same.

Divide city into school districts.

§ 4. The township funds, and the estate, real and personal, belonging to townships forty-three (43) and forty-four, (44,) range twelve (12) east, in the county of Lake, shall be divided between the city of Lake Forest and the portions of said townships lying without the city of Lake Forest, as follows: The city clerk of said city shall be required to give notice, in writing, to the trustees of schools of the said townships, respectively, either by delivering a

School fund.

Division of the
school fund.

copy of said notice to each of said trustees, personally, or by leaving the same at the residence of each of said trustees, respectively; which notice shall be so served at least ten (10) days before the term of court to which application shall be made, and shall notify said trustees that, at the then next ensuing term of the circuit court of the county of Lake, an application will be made to the said court to divide the funds and estate of the said townships, respectively, between said townships, respectively, and the said city of Lake Forest; and the said trustees, respectively, and the said city clerk, shall each be required to appear before the said court, and give full and true statements, so far as they and each of them may be able, of the number of persons under the age of twenty-one (21) years residing within said city, and the portions of said townships, respectively, without said city, and the amount of funds and estate now belonging to each of said townships, and the amount of the same heretofore transferred by either of said townships to said city; and the said court, giving credit and allowance for all that may have been so transferred, shall fairly and equitably divide and apportion said funds and estate, giving to each its fair and equitable share of the same; and the trustees of each of the said townships, respectively, shall thereupon convey, transfer and deliver unto the said city of Lake Forest such shares or portions of said funds and estate as may be so awarded by said court; and said court shall have power to compel, and enforce its orders in such behalf.

ARTICLE XI.

MISCELLANEOUS PROVISIONS.

Sale of liquors,
to prohibit, etc.

SECTION 1. It shall not be lawful for any person to make or sell, or keep for sale, any spirituous or intoxicating liquors, anywhere within the corporate township within which the said city of Lake Forest is situated; and any person or persons found violating this section shall be liable, for each offense, to a fine in any sum not exceeding one hundred dollars, and may be prosecuted for such offense before the mayor of said city, or any police or other magistrate in the county of Lake—jurisdiction of such offenses, whenever committed in said township, being hereby given to the aforesaid officers, who, in addition to the said fine, shall have power to commit the offender to the jail of said county until the fine and costs of the prosecution are fully paid.

Financial statement.

§ 2. The city council shall, at least ten (10) days before the annual election in each year, cause to be published in the corporation newspaper, or by posting a correct and full statement of the receipts and expenditures from the date

of the last annual report, together with the sources from whence the former are derived, and the mode of disbursement, and also a distinct statement of the whole amount assessed, received and expended in the respective wards and divisions of the city, for making and repairing streets, highways and bridges for the same period, together with such information as may be necessary to a full understanding of the financial concerns of the city.

§ 3. The inhabitants of the city of Lake Forest are hereby exempted from working upon any road or highway beyond the limits of the city, and from paying the tax in lieu thereof without said limits.

Citizens exempt from road labor outside of city limits.

§ 4. The supervisor shall demand the services of all persons who are required to labor on the streets, alleys and highways of the city, at such time and place, and in such manner, as the city council may direct, or the supervisor shall deem necessary. He shall deliver or cause to be delivered, or left at the usual place of abode or business of any person so required to labor, as aforesaid, a written or printed notice, or partly written or partly printed notice, in such form as the city council shall prescribe; which notice shall be given at least five (5) days previous to the first day on which he or they are required to labor, requiring such person to appear at such time and place as may be designated, for the purpose of laboring upon the streets, alleys or highways. Upon the neglect of any person to appear and labor, as aforesaid, or to pay the sum designated by the city council as an equivalent for such labor, the collector shall collect from such person, in the same manner as other taxes, the sum assessed against such person, and twenty-five (25) per cent. added thereto, with his commission for collecting the same added thereto; or the same may be recovered by suit, with costs, as in other cases.

Labor on the streets and alleys.

§ 5. The city council shall have power to establish, make and declare the boundaries and names of streets, alleys and highways, and to change the same at pleasure.

Boundaries and names of streets

§ 6. All fines, forfeitures and penalties collected for offenses committed within said city shall be paid into the treasury of said city by the officer collecting the same. All fines and forfeitures collected for any conviction in the circuit court, for any offense committed in said city, shall be paid over in like manner.

Fines, forfeitures, etc. paid to city treasurer.

§ 7. All licenses, either county or state, which are or may be required to be taken out by state or city law within said city, shall be taken from the city clerk of said city, in like manner as city licenses, any state law to the contrary notwithstanding; and the fee or charge therefor shall be paid into the city treasury.

Issue of licenses

§ 8. The city council shall have power to require that that all additions or subdivisions of land within the limits of said city shall be so laid out or platted as to correspond

Additions to the city.

and conform to the regular blocks, streets, alleys and highways already laid out and established within said city, and and shall have the further power to direct in what manner lots and blocks shall be numbered or designated in such subdivisions hereafter to be made, and to re-number the lots and blocks in said city, and make a map thereof; and such map, certified by the city clerk, shall be admitted to record in the county of Lake, and copies thereof, purporting to be published by authority of said city, shall be received in evidence in all courts and places, as *prima facie* correct.

Cemeteries and parks.

§ 9. The Lake Forest cemetery, and public parks belonging to said city, shall be managed under the control and direction of the city council; and said council may, for such purpose, appoint one or more superintendents and agents to conduct and manage the same.

Liability of supervisor.

§ 10. The supervisor, in addition to the penalties prescribed by ordinance, shall, for willful neglect of duty, be liable to indictment and fine, in the same manner as supervisors under the laws of this state.

Remission of fines.

§ 11. Neither the city council nor mayor shall remit any fine or penalty imposed upon any person for a violation of any laws or ordinances of said city, or release from confinement, unless two-thirds of all the aldermen elected shall vote for such release or remission; nor shall anything in this act be so construed as to oust any court of jurisdiction to abate and remove nuisances within its jurisdiction, by indictment or otherwise.

Reconsideration of vote.

§ 12. No vote of the city council shall be reconsidered or rescinded at a special meeting, unless the meeting be called, in whole or in part, for that purpose, and the aldermen so notified, and unless, at such special meeting, there shall be present as large a number of aldermen as was present when such vote was taken.

Publication of ordinances.

§ 13. The publication of ordinances, notices, and other matter in this act required, may be by publishing the same in the corporation newspaper, or by posting copies thereof in three public places in the city by the city clerk; and the certificate of the city clerk, indorsed in the original, setting forth the fact of such publication or posting, shall be evidence of the same.

All actions and suits vested in corporation.

§ 14. All actions brought to recover any penalty or forfeiture incurred under this act, or any ordinance, by-law or police regulation made in pursuance thereof, shall be brought in the corporate name. It shall be lawful to declare, generally, in debt for such penalty, fine or forfeiture, stating the clause of this act, or the by-law or ordinance, under which the penalty or forfeiture is claimed, and to give the special [matter] in evidence under it.

First process a summons.

§ 15. In all prosecutions for the violation of any ordinance, by-law or other regulation, the first process shall be

a summons, unless oath or affirmation be made for a warrant, as in other cases.

§ 16. Execution may issue immediately on rendition of judgment. If the defendant has no goods or chattels or real estate within the county of Lake, whereof the judgment can be collected, the execution shall require the defendant to be confined in the county jail or work house, or city prison, for a term not exceeding six months, in the discretion of the court rendering the judgment; and all persons who may be committed under this section shall be confined one day for each one dollar of such judgment and costs. All expenses incurred in any execution for recovery of any fine, penalty or forfeiture, when collected, shall be paid into the city treasury. Execution may issue for fines.

§ 17. No person shall be an incompetent judge, justice, witness or juror, by reason of his being an inhabitant or a freeholder in the city of Lake Forest, in any action or proceeding in which said city may be a party in interest. Incompetent judge or juror.

§ 18. All ordinances, regulations and resolutions now in force in the city of Lake Forest, and not inconsistent with this act, shall remain in force under this act, until altered, modified or repealed by the city council, after this act shall take effect; and all said ordinances, regulations and resolutions, and all acts, proceedings, matters and things, of any and every name and nature whatsoever, done or provided to be done throughout the limits of said city, as herein and hereby extended by the city council of the city of Lake Forest, before their successors shall have been elected under this act, are hereby made and declared to be valid. Old ordinances valid.

§ 19. The offices of the aldermen now acting as such in said city shall become vacant at the first annual election after the passage of this act; and there shall be elected, at said election, six aldermen, two of whom shall be chosen from that division of the city east of the railway and north of Deerpath avenue, two others from that part east of the railway and south of Deerpath avenue, and two others for that part west of the railway; and such aldermen so chosen shall constitute the first board of aldermen for said city; and said divisions shall, respectively, comprise the first, second and third wards of the city, in the order above designated, until changed by the city council. Term of office of aldermen.

§ 20. All rights, actions, fines, penalties and forfeitures, in suit or otherwise, which have heretofore accrued to the city at any time, shall be vested in and prosecuted by the corporation hereby created. Rights, actions, etc.

§ 21. All property, real, personal or mixed, belonging to the city of Lake Forest, is hereby vested in the corporation created by this act; and the officers of said corporation now in office shall, respectively, continue in the same until superseded in conformity to the provisions hereof, but shall Property vested in corporation.

Style of ordinances. be governed by this act, which shall take effect from and after its passage.

Evidence and proof of. § 22. The style of all ordinances shall be: "*Be it enacted by the City Council of the City of Lake Forest.*"

Not to invalidate previous acts. § 23. All ordinances of the city may be proven by the seal of the corporation, and the certificate of the city clerk; and when printed and published in a book or pamphlet form, and purporting to be printed and published by authority of the city, the same shall be received in evidence in all courts and places without further proof.

Power to arrest with or without process. § 24. This act shall not invalidate any legal act done by the city council of the city of Lake Forest, or by its officers, nor divest their successors, under this act, of any rights of property or otherwise, or liability which may have accrued to or been created by said corporation prior to the passage of this act.

Digest of city ordinances. § 25. All officers of the city created conservators of the peace, by this act, or authorized by any ordinance, shall have power to arrest, or cause to be arrested, with or without warrant or process, all persons who shall break the peace, or threaten to break the peace, or be found violating any ordinance of the city, commit for examination, and if necessary, detain such persons in custody over night or the Sabbath, in the watch house or other safe place, until they can be brought before a magistrate; and shall have and exercise such other powers as conservators of the peace as the city council may prescribe.

Act repealed. § 26. There shall be a digest of the ordinances of the city, which are of a public nature, published within five (5) years after the passage of this act, and a like digest within every period of five years thereafter.

§ 27. The present act of incorporation of said city, approved Feb. 21, 1861, shall be, and the same is hereby repealed.

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

APPROVED March 11, 1869.

In force March 11, 1869.

AN ACT supplemental to an act to amend an act entitled "An act to incorporate the city of Lake Forest," approved Feb. 21, 1861.

Art. 5 repealed. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That article V of this act, to which this is a supplement, be and the same is hereby repealed.

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

APPROVED March 11, 1869.

AN ACT supplemental to an act to amend an act entitled "An act to incorporate the city of Lake Forest," approved February 21, 1861. In force April 17, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be and is hereby added to section nineteen (19), of article eleven (11), of the act to which this is a supplement, the following: "*Provided*, that the term of office of one of said aldermen, so to be elected in each of said wards, respectively, shall expire in one year from said election, and the same shall be filled at said time; and, thereafter, the term of office of one alderman in each ward shall expire annually; and in all cases when, on account of vacancy or otherwise, two aldermen shall be chosen at the same election for the same ward, the one who shall receive the highest number of votes shall be entitled to the full term." Provision added to act.

§ 2. That the words "second Monday of April," in section four (4) and section seven (7), of article (2), of the act to which this is a supplement, shall be and are hereby made to read "Monday after the second Tuesday in April." Change of time, amendment.

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

APPROVED April 17, 1869.

AN ACT to amend an act entitled "An act to charter the city of LaSalle," in force June 13, 1869, and the acts amendatory thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the city of LaSalle shall hereafter include within its corporate limits the following territory, situated in township No. thirty-three (33) north, range one (1) east of the third principal meridian, and no more, that is to say, all of section No. fifteen (15), also all of the south half of section No. ten (10), also the southeast quarter of the southwest quarter of the northeast quarter of section No. ten (10); also, all of the south half of section No. eleven (11), and the north half of section No. fourteen (14), lying west of the bed of the Little Vermilion river, and also all of the south half of section No. fourteen (14). Additions to the city.

§ 2. Such portions of the acts to which this act is an amendment as include additional territory to that above described, within the limits of said city, are hereby repealed. Part of act repealed.

APPROVED March 26, 1869.

In force when
adopted by
legal voters.

AN ACT to consolidate the cities of LaSalle and Peru.

Consolidation
of LaSalle and
Peru.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the cities of LaSalle and Peru shall be and they are hereby consolidated, and from and after the passage of this act and its adoption by the people of said cities, as hereinafter provided for, shall form one city, to be known and designated by such name as shall be selected by the councils of said cities, in the manner herein set forth; and by such name shall sue and be sued, and have, exercise and enjoy all the rights, powers and privileges now accorded by law or the charters of said cities or the acts amendatory thereof.

Division of.

§ 2. The city hereby created shall be divided into two municipalities, the one to be known as the municipality of LaSalle, and shall comprise the same territory as that included in said city of LaSalle at the time of the adoption of this act; the other to be known as the municipality of Peru, which shall be composed of the territory included, at the same time, within the limits of said city of Peru; and each municipality may be divided by the city council of said city into such number of wards as such city council shall deem advisable: *Provided, however,* that the number of wards in each municipality shall not be less than four, nor shall the limits and boundaries of such wards, in either municipality, be changed without the consent of a majority of the aldermen residing in such municipality.

Boundaries of
wards.

§ 3. The limits and boundaries of the wards in each of the municipalities, until otherwise ordered by said city council, shall be the same as that now prescribed in each of said cities of LaSalle and Peru, by the ordinances of said cities, respectively.

Election
of aldermen.

§ 4. There shall be elected two aldermen for each of said wards, who shall hold their office for the term of two years and until their successors are elected and qualified: *Provided, however,* that under the first election for aldermen, in any ward, one of the aldermen to be chosen shall hold his office for one year only, the one holding for the short term to be determined in such manner as the city council shall direct.

Qualification
of aldermen.

§ 5. Aldermen shall be residents of the wards from which they are chosen; and if any alderman shall remove from the ward for which he was elected, such removal shall create a vacancy in his office, and a special election shall be held in such ward to fill the same. Such election to be held at such time and place as shall be ordered by the city council.

Removal from
the ward.

Qualifications
of voters.

§ 6. All persons residing in said city, and authorized by the charter of either of said cities of LaSalle or Peru to vote at municipal elections, shall be entitled to vote at all elections

to be held in said city, in the ward wherein he resides, and not elsewhere.

§ 7. The city council shall provide for holding the annual city election in each ward of said city at such place as they shall designate, at which election the electors of each ward shall vote for one mayor of said city, one alderman for the ward in which he resides, and also to fill any vacancies existing in the board of aldermen from such ward, and for such officers for said city, or for either of said municipalities, as shall be ordered to be elected by said city council. At the first election, however, in any ward of said city, two aldermen shall be elected, one of whom shall hold his office for the term of one year.

Provide for holding election

§ 8. There shall be elected, annually, or appointed by the city council, one attorney, one clerk and one marshal, for said city; and one assessor, one collector and one treasurer, for each of said municipalities, and such other officers or agents for said city or for either of said municipalities, as the city council of said city shall, from time to time, deem necessary: *Provided, however*, that the officers and agents provided for in this section shall be appointed by the city council of said city, until such time as such council shall provide, by ordinance, for their election by the electors of said city.

Officers elected or appointed.

§ 9. Either of said municipalities shall have the right to subscribe to any stock in any bridge, ferry, railroad, horse railroad, or other incorporated company, the same as if such consolidation had not been made. Any debt contracted by reason thereof shall be a lien upon the separate property of such municipality, alone; and any bonds that may be issued on account of such subscription, by virtue of any law authorizing the same, instead of being issued by either of said cities, shall be issued by the municipality of Peru or LaSalle, as the case may be, but shall be signed on behalf of such municipality by the mayor of said city and attested by the clerk thereof. Such bonds shall be under the seal of said city, but shall constitute a lien only upon the property of the municipality issuing the same.

Right to take stock in bridge or railroad.

§ 10. The taxable property of the municipality of Peru shall be liable for the debts of the city of Peru, and the taxable property of the municipality of LaSalle for the debts of the city of LaSalle, whether such debts are now in existence or shall be hereafter created; and in no event shall the property of one municipality be liable for the debts of the other, contracted prior to the consolidation, nor for any separate or local debts contracted after the consolidation, or debts contracted for local or municipal purposes.

Liability of the cities for debts.

§ 11. The ordinances of said city of LaSalle in force at the time that the consolidation of said cities shall be perfected, shall continue in force and apply to the municipality of LaSalle until repealed by the city council of said

Ordinances to continue in force until repealed.

city; and, in like manner, the ordinances of said city of Peru shall continue in force in the municipality of Peru: *Provided, however,* that the city council of said city shall have the power of extending the operation of such ordinances over both municipalities, so far as the same are applicable, without republishing the same.

Expenses of the municipalities.

§ 12. It shall be the duty of the aldermen representing each municipality, or a majority of them, to designate what sum shall be raised in their respective municipalities, (not exceeding the amount provided for in the respective charters of said cities, and the acts amendatory thereof), for municipal purposes of each municipality, and for local improvements; and the amount of money thus designated shall be levied and collected, as a separate tax upon the taxable property in each of said municipalities, respectively, and shall be expended in the manner to be directed by the aldermen of each municipality, respectively, or a majority of them.

Aldermen.

§ 13. The aldermen of each municipality shall form a board, to be known as the Board of Aldermen of the Municipality of LaSalle or Peru, as the case may be, a majority of whom shall constitute a quorum for the transaction of business. The meetings of such boards shall be presided over by the mayor of said city, who shall have no vote, except a casting vote, and shall hold their meetings at such time and place as they may respectively designate.

Record of proceedings.

The clerk of said city shall keep a record of the meetings of said boards, in separate books provided for that purpose; and such records shall have the same force and effect and shall be certified to by said clerk, in the same manner, and shall be evidence, when so certified, to the same extent as the records of said city; and it is hereby made the duty of each of said boards to hold at least one meeting in each and every year and as much oftener as they shall deem necessary.

Duties of the boards of aldermen.

§ 14. It shall be the duty of each of said boards, provided for in the preceding section, to examine into the affairs of their respective municipalities; to guard over and look after their respective local interests; to assess and levy such taxes, for local purposes, in each municipality, as they shall respectively deem necessary, not exceeding the amount now allowed by the respective charters of said cities and the several acts amendatory thereof; to designate what local improvements shall be made, of special interest to their respective municipalities; to have and exercise exclusive control of the money raised in each municipality for local municipal purposes; and, in a general manner, to do such acts, not inconsistent with the provisions of this act, for the benefit of their respective municipalities, that the respective councils of said cities of La Salle or Peru might or could do if said cities had not been consolidated.

§ 15. In case of the absence of the mayor from any meeting of the board of aldermen of either of said municipalities, such board shall elect one of their number mayor *pro tem*. The member thus elected to preside shall not, however, by reason thereof, lose his right to vote upon all questions arising before such boards. Absence of the
the mayor,

§ 16. The taxes that may be levied by either of said boards, for local purposes, as above provided for, shall be extended in a separate column against the taxable property of the respective municipalities, and shall constitute no lien upon property situated in the other municipality. Levy taxes.

§ 17. The local officers of each municipality, provided for by this act or that may be provided for by said city council, shall be selected by the legal voters of each municipality, respectively, or by the board of aldermen of such municipality, as shall be deemed most advisable by the city council of said city. Election of the
local officers.

§ 18. There shall be one mayor for the city hereby created, whose duties shall be such as are now prescribed by the charters of said cities of La Salle and Peru, and by the several acts amendatory thereof, besides such additional duties as may be prescribed by the city council of such city; and in case of any conflict in the charters of said cities of La Salle and Peru, such council shall determine which provisions shall prevail. The mayor shall be the general executive officer of said city; shall preside at all meetings of the city council, but shall not be entitled to a vote, except in case of a tie; and he shall be entitled to such compensation as may be awarded him by the council of said city. He shall hold his office for one year and until his successor is elected and qualified. Mayor.

§ 19. In case of the absence of the mayor, or of his death, resignation or removal, the city council shall elect a mayor *pro tem*., from one of their number; but the member thus elected shall not thereby lose his right to vote on all questions arising before such council. The mayor *pro tem*., thus elected, shall hold his office until the return of the mayor, if absent, or until the next annual city election, in case of the death, resignation or removal of the mayor; and such mayor *pro tem*. shall be invested with the same power and entitled to the same compensation as if he had been regularly elected mayor by the electors of said city. Vacancy in of-
fice of mayor.

§ 20. The style of the ordinances of said city shall be: Style of ordi-
nances.
“*Be it enacted by the City Council of the City of ———*,”
(inserting in the blank the name of said city, to be selected and adopted as hereinbefore provided for.)

§ 21. The first council of said city shall consist of the mayor and sixteen aldermen—eight aldermen to be selected from each of said municipalities, of whom it shall require two-thirds to constitute a quorum for the transaction of business. A lesser number, however, may meet and ad- Mayor and city
council.

journal from time to time, and may compel the attendance of absent members, in such manner as shall seem to them most advisable; may cause such absent members to be arrested and brought to the meetings of the council, and inflict such fines and penalties for non-attendance of members as they shall see proper, to be recovered by proceedings before either of the police magistrates of said city, and may provide that a conviction of any alderman for a willful violation of any rule, regulation or by-law of said city, concerning the attendance of members of the city council at the meetings thereof, shall work a forfeiture of and create a vacancy in his office, to be filled by special election.

Time and place
of meeting.

§ 22. The city council shall hold regular monthly meetings, at such time and place as they shall designate; and, until otherwise ordered by the council, such monthly meetings shall be held on the first Tuesday of each and every month. The council may, also, hold such adjourned and special meetings as they shall see proper.

Corporate seal.

§ 23. The city council of the city hereby created shall have power to adopt a corporate seal, and to change or alter the same at pleasure.

Taxation.

§ 24. The city council of said city shall have power to levy a tax, for general municipal purposes, upon the assessed value of the real and personal property of said city, not exceeding one-fourth of one per cent., per annum, and such assessment for special benefits, arising from any proposed or completed improvement, as they shall from time to time contemplate making or shall cause to be made. Such city council shall also have power to pass such ordinances, make such rules, regulations and by-laws as are now conferred by law or by the charters of said cities, or either of them, or the several acts amendatory thereof, upon either of the councils of said city of La Salle or Peru—it being the intention hereby to confer upon said council the same rights and powers and to impose upon it the same duties as are now conferred or imposed upon the council of either said city of La Salle or Peru, except in such particulars as are otherwise provided for in this act.

Records to be
kept open for in-
spection of elec-
tors.

§ 25. The city council of the said city hereby created shall cause a record of its proceedings to be kept, which shall be open at all reasonable times for the inspection of the electors of said city; and a certificate of the clerk of said city or of the city council, under the seal of the city, shall be received as *prima facie* proof of the contents of such record, in all courts and places.

Evidence of
validity of ordi-
nances.

§ 26. All ordinances of said city or of either of said cities of La Salle and Peru, which are or may be published in book or pamphlet form, shall be received in evidence in all courts and places as the ordinances of said city, without further proof. All other ordinances of said city shall be proved by a certificate of the clerk, under the corporate

seal of said city. It shall be sufficient proof of such ordinances and of the publication thereof, if the certificate shall state that the ordinances therein described are or were in force at the time mentioned therein.

§ 27. The annual city election of said city shall be held in the various wards of said city on the first Tuesday of November, of each and every year; and the officers elected shall qualify and enter upon the discharge of their respective duties as soon as practicable thereafter.

Election, where
and when held.

§ 28. All the officers and the aldermen of said city shall take such oaths of office, and all such officers, except the aldermen and mayor, shall give such official bonds, for the faithful discharge of their respective duties, as the city council shall, from time to time, require, and a failure so to do within a reasonable time, to be fixed by the said council, shall create a vacancy.

Official bonds
and oaths.

§ 29. The question of consolidation of said cities of LaSalle and Peru, under this act, shall be submitted to a vote of the people of each of said cities, at such time, in each city, as the respective city councils shall determine; which vote shall be by ballot, on which shall be written or printed or partly written and partly printed, the words, "For Consolidation" or "Against Consolidation." And if a majority of the ballots cast in each of said cities shall contain the words "For Consolidation," then this act shall take effect and be in force; and said cities shall thereupon become consolidated under this act; and it shall thereupon become the duty of the councils of each of said cities to call an election for the officers provided for by this act, on the first Tuesday of the next ensuing November after such adoption. If a majority of the votes cast in either of said cities shall contain the words "Against Consolidation," then this act shall not be in force until the same shall have been again, in like manner, submitted to a vote of the people of said cities, and been by them adopted, as above contemplated.

Act submitted
to legal voters.

§ 30. It shall be the duty of said city councils of said cities of LaSalle and Peru to submit this act to a vote of the people of their respective cities, from time to time, if they shall deem advisable, notwithstanding it has been already voted upon and rejected by such people; and whenever the legal voters of either of said cities, to a number equal to a majority of the votes cast at the last annual city election in such city, shall petition either of said city councils so to do, it shall become their imperative duty to submit this act to a vote of the people of such city for adoption or rejection. Such submission to be at as early a day as practicable.

May be again
submitted.

§ 31. Whenever this act shall be adopted by a majority vote of the people of both of said cities, it shall be the duty of the city councils of said cities of LaSalle and Peru to

When adopted,
to meet in joint
convention.

meet, in joint convention, at such time and place as shall be appointed by the judge of the recorder's court of the city of Peru. A majority of the members of such council, so assembling, shall have power to fix upon a corporate name for the city hereby created, and shall cause the name then selected to be certified, under the hands of the clerks of said cities, or one of them—such certificate to be attested by the corporate seal of one or both of said cities; and by the name thus selected the city hereby created shall forever thereafter be known and called.

Mayor to pre-
side and have a
casting vote.

§ 32. The mayor of either of said cities, who may be present, shall preside at such joint convention, but shall have none other than a casting vote. If the mayors of both of said cities shall be present, the presiding officer shall be selected from the two, by lot. If neither are present, the joint convention shall choose its own presiding officer from among its members; but such choice shall not prevent the member chosen from voting. It shall be the duty of the clerks of each of said cities to attend such joint convention, and keep a record of its meeting; which shall be entered on the respective journals of the city councils. If such clerks shall fail to attend, the convention shall appoint clerks for that purpose. A record of each meeting shall also be entered upon the journals of the city council of the city hereby created, and form a part of the records of such city.

Duties of the
city councils.

§ 33. The city councils of said cities shall, respectively, discharge their duties the same as if this act had not been adopted, notwithstanding such adoption, until the city council of the city hereby created shall be elected, at an annual election, to be held as above provided for, on the first Tuesday of the November next succeeding the adoption of this act, at which time their duties shall cease and their respective offices become vacant.

Jurisdiction of
court extended.

§ 34. After the adoption of this act, the jurisdiction of the recorder's court of the city of Peru shall be extended over the whole of the limits included, at the time of such adoption, within the limits of both of said cities of LaSalle and Peru; and thereafter the name of such court shall be changed to that of "The Recorder's Court of the City of _____" (inserting in the blank the name that may be assumed for the city hereby created, as contemplated in section number 31 of this act); and thereafter the judge of said court shall be allowed the same compensation (to be paid in the same manner), in addition to that allowed him as judge of said court, as was allowed him by the act creating said court as judge of the recorder's court of the city of LaSalle.

Compensation
of judge.

APPROVED March 29, 1869.

AN ACT to amend the city charter of the city of Lincoln, and the several acts amendatory thereof. In force March 30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the city council of the city of Lincoln, in Logan county, shall have, possess and enjoy all the rights, powers and privileges, providing for the construction of sidewalks in said city of Lincoln, that are now possessed and enjoyed by the common council of the city of Chicago, and shall, also, have the power to appoint a sealer of weights and measures, and to define his rights, powers and duties. Sidewalks.

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

APPROVED March 30, 1869.

AN ACT to amend an act entitled "An act to amend the charter of the city of Lincoln." In force March 29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the boundary line of the city of Lincoln shall be so changed as to exclude from the corporate limits of said city of Lincoln the following described piece or parcel of land, to-wit: The east half of the northeast quarter of section twenty-six (26), in township twenty (20) north, range three (3) west of the third (3) principal meridian, in Logan county, Illinois. Boundaries changed.

§ 2. Nothing in this act shall be so construed as to release said land from the payment of any city tax that may be now assessed against it and unpaid. Not to affect unpaid taxes.

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

APPROVED March 29, 1869.

AN ACT to reduce the charter of the city of Litchfield and the several acts amendatory thereof into one, and to revise the same. In force Feb. 27, 1869.

ARTICLE I.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all the district of country in the county of Montgomery and state of Illinois, consisting of the tracts of land known as the east half of section thirty-two (32), all of section thirty-three Boundaries.

(33), and the southwest quarter and the southeast quarter of the northwest quarter of section thirty-four (34), all in township nine (9) north, of range five (5) west of the third principal meridian, and the north half and the north quarter of the south half of section four (4), and the northeast quarter and the north half of the northeast quarter of the southeast quarter of section five (5), in township eight (8) north, of range five (5) west of the third principal meridian, shall comprehend and embrace the city of Litchfield.

Corporate powers.

§ 2. The inhabitants of said city shall be a corporation, by the name of the "City of Litchfield," and, by that name, shall have perpetual succession, sue and be sued and complain and defend, in any court; and may make and use a common seal, and alter and change the same at pleasure; may take, hold and purchase such real, personal or mixed estate as the purposes of the corporation may require, within or without the limits of the city; and may sell, lease or dispose of the same for the benefit of the city.

Division of city into wards.

§ 3. The city of Litchfield shall be divided into three wards, the boundaries of which shall be as follows: The territory south of the railroad shall be the first ward; the territory north of said railroad and east of the central line of State street shall be the second ward; the territory north of said railroad and west of the central line of State street shall be the third ward. The boundaries of the said wards may be, by the city council, changed from time to time. The city council may, as occasion may require, create additional wards, within said limits, and define boundaries thereof.

ARTICLE II.

OFFICERS—THEIR ELECTION AND APPOINTMENT.

Mayor and board of aldermen.

City officers.

SECTION 1. The municipal government of the city shall consist of a city council, to be composed of the mayor and two aldermen from each ward. The other officers of the corporation shall be as follows: A city magistrate, a city marshal and collector, a city clerk, a city treasurer, a city attorney, a city assessor, a city surveyor and a city street commissioner, who, in addition to the duties prescribed by this act, shall perform such other duties as may be prescribed by ordinance. There shall also be such other officers, servants and agents of the corporation as may be provided by ordinance. All officers to be appointed by the city council, unless otherwise provided by ordinance, shall perform such duties as may be prescribed by ordinance: *Provided*, that the city council may consolidate two or more offices in one person, as they may deem best for the city.

Term of office.

§ 2. All officers to be elected or appointed under this act, except such as are otherwise provided for hereby, shall

hold their office one year, and until the election or appointment and qualification of their successors, respectively. All the officers mentioned in this act, and not otherwise especially provided for, shall be appointed by the city council, by ballot, at their first regular meeting after the regular annual election, or as soon thereafter as may be; but the city council may authorize the appointment of watchmen and policemen, to continue in office during the pleasure of the city council: *Provided*, the city council may remove them from office for good cause. All officers elected to fill vacancies, except when especially provided, shall hold for the unexpired term only; and when appointed to fill vacancies, until the next general election, and until the election or appointment and qualification of their successors.

Removal from
office.

§ 3. The chief executive officer of the city shall be a mayor, who shall be elected by the qualified voters of the city, and hold his office for one year, and until his successor shall be elected and qualified. He shall be a *bona fide* freeholder in and resident of the city.

Election of
mayor.

§ 4. The several wards of the city shall be represented in the city council by two aldermen from each ward, who shall be *bona fide* freeholders and residents thereof. The aldermen shall hold their office for two years from and after their election, and until the election and qualification of their successors. They shall be divided into two classes, each class consisting of one alderman from each ward. The seats of the first class shall be vacated at the end of the first year, and of the second class at the end of the second year, so that one alderman from each ward may be annually elected. In all cases where two aldermen are to be chosen from the same ward at any annual election, the alderman having the highest number of votes shall be declared elected for two years, and the candidate having the next highest for one year; and in case of two successful candidates having equal number of votes, the term of service to which they shall be respectively entitled shall be determined by the casting of lots in the presence of the city council, and the result shall be entered upon their proceedings. If any alderman shall remove from the ward represented by him, or shall engage or continue in any service, business or employment causing a continuous absence from the city council for more than two months, his office shall thereby become vacant, and may be so declared by the city council.

Representation
of wards.

Aldermen.

Two classes.

The vote, how
determined.

§ 5. If from any cause their shall fail to be a quorum of aldermen, the city clerk shall appoint the time and place of holding a special election to fill such vacancies, and shall appoint judges of such election if necessary. Any alderman or other officer, elected or appointed to any office, may be removed from such office by a vote of two-thirds of all the aldermen authorized to be elected; but no alderman

Quorum

Removal from
office.

or officer shall be removed except for good cause, nor unless first furnished with the charges against him and heard in his defense. The city council shall have power to compel the attendance of witnesses and the production of papers when necessary for the purpose of such trial, and shall proceed within ten days to hear and determine the merits of the case; and if such officer shall neglect to appear and answer to such charges, then the city council may declare the office vacant: *Provided*, the mayor may suspend such alderman or officer until the disposition of the charges.

Vacancies,
how filled.

§ 6. Whenever any vacancy shall occur in the office of mayor, alderman or city magistrate, such vacancy shall be filled by a new election within ten days after the happening of such vacancy. Any vacancy occurring in any other office may be filled by appointment of the city council; but no special election shall be held to fill any vacancy in the office of mayor or alderman or city magistrate: *Provided*, such vacancy occurs within three months of the next annual election. In such case the vacancy shall be filled at the next annual election.

Qualifications
for office.

§ 7. All citizens of the United States, qualified to vote at any election held under this act, shall be qualified to hold any office created by this act, except the mayor and aldermen, who shall be *bona fide* owners of real estate; but no person shall be eligible under this or any other act in relation to said city, who is now or may hereafter be a defaulter to said city or to the state of Illinois, or to any other city or county thereof; and any person shall be considered a defaulter who has refused or neglected, or who may hereafter refuse or neglect, for thirty days after demand made, to account for and pay over to the party authorized to receive the same, any public money which may have come into his possession. And if any person holding any such office or place within this city shall become a defaulter whilst in office, the office or place shall thereupon become vacant.

The vote, how
decided.

§ 8. When two or more candidates for any elective office shall have an equal number of votes for such office, the election shall be determined by the casting of lots, in the presence of the city council.

ARTICLE III.

OF ELECTIONS.

Election, time
and place of.

SECTION 1. A general election shall be held in each ward of the city on the first Tuesday in April next, and on each and every first Tuesday in April thereafter, at which the following officers shall be chosen: A mayor, one alderman from each ward—the alderman to be voted for only by the residents of the ward which he is called upon to represent. A city marshal and collector, a city treasurer, a city assessor, a city surveyor and a street commissioner;

and on the first Tuesday in every fourth year, commencing on the first Tuesday in April, 1871, there shall be an election for city magistrate for said city, and the city clerk shall publish in the newspaper publishing the ordinances of the city, an election notice, at least two weeks before the annual election, which shall state the time and place of and the officers to be elected at such election, and the like notice shall be given at all special elections.

§ 2. The manner of conducting and voting at the elections held under this act, and contesting the same, the keeping of the poll list, canvassing the votes, and contesting the returns, shall be the same, or as nearly the same as may be, as is now or hereafter may be provided by law at general state elections: *Provided*, the city council shall have power to regulate elections and appointments of judges thereof. The voting shall be by ballot, and the judges of election shall take the same oath and shall have the same powers and authority as the judges of general elections. After the closing of the polls, the ballots shall be counted in the manner provided by law, and the returns shall be returned, sealed, to the city clerk, within two days after the election; and thereupon the city council shall meet and canvass the same, and declare the result of the election. The persons having the highest number of votes for any office shall be declared duly elected. It shall be the duty of the city clerk to notify all persons elected or appointed to any office of their election or appointment; and unless such persons shall qualify within ten days thereafter, the office shall become vacant, and shall be so declared by the city council.

Manner of voting and conducting elections.

Duties of judges of election.

Notice to officers elected.

§ 3. No person shall be entitled to vote at any election under this act who is not entitled to vote at state elections, and who has not been a resident of the city at least three months next preceding said election. He shall have been, moreover, an actual resident of the ward in which he proposes to vote for thirty days previous to such election, and, if required by any judge or qualified voter, shall take the following oath, before he is permitted to vote: "I swear (or affirm) that I am of the age of twenty-one years, that I am a citizen of the United States (or was a resident of this state at the time of the adoption of the constitution), have been a resident of this city three months, and a resident of this state one year, immediately preceding this election, am now and, for the last thirty days, have been a resident of this ward, and have not voted at this election:" *Provided*, that the voter shall be deemed a resident of the ward in which he is accustomed to lodge.

Qualifications of voters.

ARTICLE IV.

POWERS AND DUTIES OF OFFICERS.

Oath of office. SECTION 1. Every person chosen or appointed to an executive, judicial or administrative office under this act shall, before he enters upon the duties of his office, take the oath prescribed in the constitution of this state.

Presiding officer of council. § 2. The mayor shall preside over the meetings of the city council, and take care that the laws of this state and the ordinances of this city are duly enforced, respected and observed within this city, and that all other officers of this city discharge their respective duties, and he shall cause negligence and positive violation of duty to be prosecuted and punished. He shall, from time to time, give the city council such information and recommend such measures as he may deem advantageous to the city.

Inhabitants to aid in enforcing all ordinances. § 3. He is hereby authorized to call on any and all white male inhabitant of the city and county, over the age of eighteen years, to aid in enforcing the laws of the state and the ordinances of this city, and, in case of riot, to call out the militia to aid in suppressing the same or carrying into effect any law or ordinance; and any person who shall not obey such call shall forfeit to the city a fine of not less than five dollars.

Requirements of officers. § 4. He shall have power, whenever he may deem it necessary, to require of any of the officers of the city an exhibit of all his books and papers. He shall have power to execute all acts that may be required of him by this act or any ordinance made in pursuance thereof.

Ordinances to be approved by the mayor. § 5. All ordinances and resolutions shall, before they take effect, be placed in the office of the city clerk, and if the mayor approve thereof, he shall sign the same; and such as he shall not approve, he shall return to the city council, with his objections thereto. Upon the return of any ordinance or resolution by the mayor, the vote by which the same was passed shall be reconsidered; and if, after such reconsideration, two-thirds of all the members of the city council shall agree, (by the ayes and noes, which shall be entered upon the journal,) to pass the same, it shall go into effect; and if the mayor shall neglect to approve or object to any such proceedings for a longer period than three days after the same shall have been placed in the clerk's office, as aforesaid, and by him submitted to the mayor, the same shall go into effect. He shall, *ex officio*, have power to administer any oath required to be taken by this act or any law of the state, to take depositions, acknowledgments of deeds, mortgages, and all other instruments of writing, and certify the same, under the seal of the city, which shall be good and valid in law.

§ 6. In case of vacancy in the office of mayor, or of his being unable to perform the duties of his office, by reason of temporary or continued absence or sickness, the city council shall appoint one of its members, by ballot, to preside over their meetings, whose official designation shall be "Acting Mayor;" and the alderman so appointed shall be vested with all the power and perform all the duties of the mayor, until the mayor shall assume his office, or the vacancy shall be filled by a new election: *Provided*, that such alderman shall not be deprived of his vote as alderman while so acting. Vacancy in office of mayor.

§ 7. The members of the city council shall be, *ex officio*, fire wardens and conservators of the peace within the city, and shall be exempt from jury duty during their term of office. Conservator of the peace.

§ 8. The clerk shall hold his office for one year. He shall keep the corporate seal, and all papers and books belonging to the city. He shall attend all meetings of the city council, and keep a full record of their proceedings on the journals; and copies of all papers, duly filed in his office, and transcripts from the journals of the proceedings of the city council, certified by him, under the corporate seal of the city, shall be evidence in all courts, in like manner as if the originals were produced. He shall likewise draw all warrants on the treasury, and countersign the same, and keep an accurate account thereof in a book provided for that purpose; and he shall have power to administer any oath required to be taken by this act. Clerk's duties.

§ 9. He shall receive such compensation for his services as shall be fixed by ordinance. Compensation.

§ 10. It shall be the duty of the city attorney to perform all professional duties incident to his office, and, when required, to furnish written opinions upon questions and subjects submitted to him by the mayor, or the city council or its committees. He shall receive such compensation for his services as may be provided by ordinance. Attorney.

§ 11. The city marshal shall hold his office for one year, and shall perform such duties as shall be prescribed by the city council for the preservation of the public peace, the collection of license moneys, fines or otherwise. He shall possess the power and authority of a constable at common law under the statutes of the state, and shall receive like fees, but shall not serve civil process without first entering into a bond as such constable, to be approved by the county court, as in other cases, and shall qualify as other constables. He shall execute and return all process issued by any proper officer, under this act, or any ordinance in pursuance thereof. He shall also, as city collector, collect all taxes and assessments which may be levied by the city council, and all moneys belonging to the city, and keep an accurate account of the same, in such manner as the city Marshal.

council may direct; and shall receive such percentage on collections as the city council may, by ordinance, provide.

Treasurer.

§ 12. The city treasurer shall receive all moneys belonging to the city, and keep an accurate account of all receipts and disbursements, in such manner as the city council may direct. All moneys shall be drawn from the treasury, in pursuance of an order by the city council, by a treasury warrant, signed by the mayor and countersigned by the city clerk. The treasurer shall exhibit to the city council, at least twenty days before the annual election of each year, and oftener if required, a full and detailed account of receipts and expenditures since the date of the last annual report.

Powers of the surveyor.

§ 13. The city surveyor shall have the sole power, under the direction and control of the city council, to survey within the city limits; and he shall be governed by such rules and ordinances, and receive such fees and emoluments for his services, as the city council shall direct and prescribe. He shall possess the same power, in making plats and surveys within the city, as is given by law to county surveyors; and the like effect and validity shall be given to his acts and to all plats and surveys made by him as are or may be given by law to the acts, plats and surveys of the county surveyor. He shall, when required, superintend the construction of all public works ordered by the city, make out the plans and estimates thereof, and contract for the erection of the same. He shall perform all surveying and engineering ordered by the city council; shall, under their direction, establish the grade and boundaries of streets and alleys; but such plans, estimates, contracts, grades and boundaries shall first be reported to the city council, and approved by them, or they shall not be valid.

Assessor.

§ 14. The city assessor shall perform all duties in relation to the assessing of property, for the purpose of levying the taxes imposed by the city council. In the performance of his duties, he shall have the same powers that are or may be given by law to county or town assessors, and be subject to the same liabilities. On completing the assessment lists, and having revised and corrected the same, he shall sign and return them to the city council.

Street commissioner, duty of.

§ 15. The street commissioner shall superintend all local improvements in the city, and carry into effect all orders of the city council in relation thereto. It shall be his duty to superintend and supervise the opening of streets and alleys, and the grading, opening and improving thereof, and the construction and repairing of bridges, culverts and sewers; to order the laying, relaying and repairing of sidewalks; to give notice to the owners of property adjoining such sidewalks, when required, and upon the failure of any person to comply with such notice, to cause the same to be laid, relaid or repaired, and apportion

the cost thereof among the persons or lots properly chargeable therewith, and to deliver the account thereof to the city clerk, to be laid before the city council; to make plans and estimates of any work ordered in relation to streets and alleys, culverts or sewers; to keep full and accurate accounts, in appropriate books, of all appropriations made for the work pertaining to his office, and all disbursements thereof, specifying to whom made and on what account; and he shall render monthly accounts thereof to the city council.

Plans and estimates.

§ 16. The city council shall have power, from time to time, to require further and other duties of all officers whose duties are herein prescribed, and prescribe the powers and duties of all officers elected or appointed to any office under this act, whose duties are not herein specified, and to fix their compensation. They may also require of all officers, severally, before they enter upon their respective offices, to execute a bond to the city of Litchfield, in such sums and with such securities as they may approve, conditioned that they shall faithfully execute the duties of their respective offices, and account for and pay over and deliver all moneys and other property received by them; which bond, with the approval of the city council certified thereon by the clerk, shall be filed in his office for the benefit of any person aggrieved by the official act of the officer.

Further duties of officers.

§ 17. If any person, having been an officer of said city, shall not, within ten days [after] notification and request, deliver to his successor in office all property, books, papers and effects, of every description, in his possession, belonging to said city, or appertaining to his said office, he shall forfeit and pay, for the use of the city, a sum not exceeding fifty dollars, besides all damages and costs caused by his refusal or neglect so to deliver; and such successor may recover possession of the books, papers and effects belonging to his office, in the manner prescribed by the laws of the state.

Surrender of property, etc. to successor.

ARTICLE V.

OF THE LEGISLATIVE POWERS OF THE CITY COUNCIL—ITS GENERAL POWERS AND DUTIES.

SECTION 1. The mayor and aldermen shall constitute the city council. They shall meet and organize the first Thursday after their election, and shall meet at such times and places, thereafter, as they may determine. The mayor, when present, shall preside at all meetings of the city council, and shall have only a casting vote. In his absence, any one of the aldermen may be appointed to preside. A majority of the persons elected aldermen shall constitute a quorum.

City council.

§ 2. The city council shall hold twelve stated meetings, one in each month, during the year; and the mayor or any

Stated meetings

two aldermen may call special meetings of the council, by notices served personally on the aldermen or left at their usual places of abode. Petitions and remonstrances may be presented to the city council, and they shall determine the rule of their own proceedings, and be the judges of the election and qualification of their own members, and shall have power to compel the attendance of absent members.

Control of finances.

§ 3. The city council shall have control of the finances and of the property, real, personal and mixed, belonging to the corporation, and shall, likewise, have power, within the jurisdiction of the city, by ordinance—

May borrow money on credit of city.

First.—To borrow money on the credit of the city, and issue bonds of the city therefor; but no bond shall be issued bearing a greater rate of interest than ten per centum per annum. It shall be the duty of the city council to provide, either by taxation or the issue of bonds, for the payment of all claims against the city as rapidly as such claims fall due. All orders on the treasury shall be made payable

Appropriations.

on demand. No appropriations shall be made for any public buildings, or other improvement, out of the general fund of the city, except in such cases as when the city council shall not have authority to provide for the same by special taxation levied on the property benefited thereby, or when the city council shall, by resolution, declare that it will be unjust and inequitable that the property in the vicinity shall bear the expenses of the improvement, and that such improvement is required by the general interests of the city; and no appropriation shall be made for any public improvement until the expenses of such improvement shall be estimated by the proper officer, and unless it shall be found, by such estimates and a statement of the estimated cost of other public works in progress, and other probable expenses of the city, that all such works can be completed in due time by the ordinary surplus revenue of the city and the issue of such bonds as the council is, by law, authorized to issue.

Improvements.

Debts and expenses of the city.

Second.—To appropriate money and provide for the payment of the debts and expenses of the city.

General powers of council.

Third.—To make regulations to secure the general health and comfort of the inhabitants; to prevent, abate and remove nuisances, [and] punish the authors thereof by penalties, fines and imprisonment; to define and declare what shall be deemed nuisances, and authorize and direct the summary abatement thereof.

Contagious diseases.

Fourth.—To make regulations to prevent the introduction of contagious diseases into the city; to make quarantine laws for that purpose, and to enforce them within the city and within five miles thereof.

Wells, hydrants and cisterns.

Fifth.—To provide the city with water; to make, regulate and establish public wells, pumps and cisterns, by drains, hydrants and reservoirs, in the streets, within the city or be-

yond the limits thereof, for the extinguishment of fires and the convenience of the inhabitants, and to prevent the needless waste of water.

Sixth.—To have the exclusive control over the streets, alleys and highways of the city, and to abate or remove any encroachments and obstructions thereon; to open, alter, abolish, widen, extend, straighten, establish, regulate, grade, clean or otherwise improve the same; to put drains or sewers therein, and to prevent the incumbering thereof in any manner, and to protect the same from encroachment or injury. Power to improve streets.

Seventh.—To establish, erect, construct, regulate and keep in repair bridges, culverts and sewers, sidewalks and crossings, and regulate the construction and use of the same, and to abate any obstructions or encroachments thereof; to establish, alter, change and straighten the channels of water courses and natural drains; to sewer the same or to wall them up and cover them over, and to prevent, regulate and control the filling, altering or changing the channels thereof by private persons. Erect bridges.

Eighth.—To provide for lighting the streets and erecting lamp posts and lamps therein, and regulate the lighting thereof, and, from time to time, to create, alter or extend lamp districts; to exclusively regulate, direct and control the laying and repairing of gas pipes and gas fixtures in the streets, alleys and sidewalks. Lighting streets

Ninth.—To establish markets and market houses, and other public buildings of the city, and provide for the government and regulation thereof, and the erection and location thereof, and to authorize their erection in the streets and avenues of the city, and the continuation of such as are already erected within the same. Markets and market houses.

Tenth.—To provide for the inclosing, regulating and improving all public grounds and cemeteries belonging to the city; and to direct and regulate the planting and preserving of ornamental and shade trees, in the streets and public grounds. Public grounds.

Eleventh.—To erect or establish one or more hospitals or dispensaries, and control and regulate the same. To establish hospitals.

Twelfth.—To prevent the incumbering of streets, alleys, sidewalks or public grounds, with carriages, wagons, carts, wheelbarrows, boxes, lumber, timber, firewood, posts, awnings, signs, or any other substance or material whatever; to compel all persons to keep the snow, ice, dirt and other rubbish from the sidewalks and street gutters in front of the premises occupied by them. Incumbering streets.

Thirteenth.—To license, tax and regulate merchants, commission merchants, and all venders, dealers and traders in any goods, wares, merchandize, groceries and liquors, (alcoholic liquors excepted only as herein after provided,) and inn-keepers, brokers, money-brokers, insurance brokers, Licenses and taxes by council

and auctioneers, and to impose duties upon the sale of goods at auction; to license, tax, regulate, suppress and prohibit hawkers, peddlers, pawnbrokers, grocery keepers, keepers of ordinaries, theatrical or other exhibitions, shows and amusements.

Hackmen,
draymen and
carters.

Fourteenth.—To license, tax, regulate and suppress hackmen, draymen, omnibus drivers, porters and all others pursuing like occupations, with or without vehicles, and prescribe their compensation; and to regulate and restrain runners for cars, stages and public houses.

Billiard tables
and ten pin al-
leys.

Fifteenth.—To prohibit and suppress billiard tables, pin alleys and ball alleys; to suppress and restrain disorderly houses, tippling shops and groceries, bawdy houses, gaming and gambling houses, lotteries and all fraudulent devices and practices, and all playing of cards, dice and other games of chance, with or without betting, and to authorize the destruction of all instruments and devices used for the purpose of gambling.

Authorize pro-
per officers to
grant licenses.

Sixteenth.—To authorize the proper officer of the city to grant and issue licenses, and to direct the manner of issuing and registering thereof, and the fees and charges to be paid therefor. No license shall be granted for more than one year; and no license shall be granted for more than thirty days, except with power reserved to the city council to revoke such license at pleasure. The city council shall have power to regulate, license, tax, prohibit and punish the sale of intoxicating, alcoholic or malt liquors, wines, cider, beer, soda water, or all and any drinks whatsoever.

Sale of Liquors.

Seventeenth.—To regulate the license and tax the keeping and sale by druggists, or other persons authorized by the city council, of alcoholic liquors for sacramental, mechanical or medicinal purposes, but to no other person and for no other use or purpose whatever, except as hereafter provided.

Forestalling
and regrating.

Eighteenth.—To prevent, restrain and punish forestalling and regrating; to regulate the inspecting and vending of fresh meats, poultry and vegetables, of butter, lard and other provisions, and the place and manner of selling fish and inspecting the same.

Butchers.

Nineteenth.—To regulate, license and prohibit butchers, and to revoke their licenses, for malconduct in the course of trade.

Inspection of
lumber, etc.

Twentieth.—To regulate and provide for the measuring and inspecting of lumber, shingles, timber, posts, staves, heading and all kinds of building materials, and for the measuring of all kinds of mechanical work, and to appoint one or more inspectors or measurers.

Forage and fuel.

Twenty-first.—To provide for the inspection and weighing of hay, lime and stone-coal, and the place and manner of selling the same; to regulate the measurement of firewood, charcoal and other fuel, to be used or sold within the city, and the place and manner of selling the same.

Twenty-second.—To regulate the inspection of beef, pork, flour, meal and other provisions, salt, whisky and other liquors, to be sold in barrels, hogsheads and other vessels or packages ; to appoint weighers, guagers and inspectors, and prescribe their duties, and regulate their fees : *Provided*, that nothing herein contained shall be so construed as to require the inspection of any articles enumerated herein, which are to be shipped beyond the limits of the state, except at the request of the owner thereof or his agents.

Beef, pork
and flour.

Twenty-third.—To regulate the weight and quality of bread, to be sold or used within the city, and the inspection thereof.

Price of bread.

Twenty-fourth.—To regulate the size and quality of bricks, to be sold or used within the city, and the inspection thereof.

Size of bricks.

Twenty-fifth.—To create, establish and regulate the police of the city ; to appoint watchmen and policemen, and prescribe their duties and powers.

Regulate police.

Twenty-sixth.—To prevent and suppress any riot, affray, noise, disturbance or disorderly assembly, in any public or private place within the city.

Riots, affrays,
noises, etc.

Twenty-seventh.—To prohibit, prevent and suppress horse racing, immoderate riding or driving in the city, and to authorize persons immoderately riding or driving, as aforesaid, to be stopped by any person ; to prohibit and punish the abuse of animals ; to compel persons to fasten their horses or other animals, attached to vehicles or otherwise, while standing or remaining in the streets.

Horse-racing
and fast driving.

Twenty-eighth.—To restrain and punish vagrants, mendicants, street beggars and prostitutes ; and define what act shall constitute vagrancy, and who shall be deemed vagrants, and provide for the arrest and punishment of persons found intoxicated in the streets and public places.

Vagrants, etc.

Twenty-ninth.—To regulate, restrain or prohibit the running at large of horses, cattle, asses, mules, swine, sheep, goats and geese, and to authorize the distraining, impounding and sale of the same, for the cost of proceedings, and the penalty incurred, and to impose penalties on the owners thereof, for a violation of any ordinance in relation thereto ; to regulate, restrain, and prohibit the running at large of dogs, and to authorize their destruction when at large contrary to ordinance, and to impose penalties on the owners or keepers thereof.

Running at
large of horses
and cattle.

Thirtieth.—To prohibit and restrain the rolling of hoops, flying of kites, the firing of guns or pistols, or any other amusements or practices tending to annoy persons passing on the streets or sidewalks, or to frighten horses or teams ; to restrain and prohibit the ringing of bells, blowing of horns or bugles, crying of goods, and all other noises, performance and practices tending to the collecting of persons on the streets or sidewalks, by auctioneers or others, for the purpose of business, amusement or otherwise.

Rolling of
hoops, etc.

- Abate nuisances** *Thirty-first.*—To abate all nuisances which may injure or affect the public morals, health or comfort, in any manner they may deem expedient.
- Sanitary regulations.** *Thirty-second.*—To do all acts and make all regulations which may be necessary or expedient for the protection and promotion of health and the suppression of disease.
- Cleanliness of the city.** *Thirty-third.*—To compel the owner of any grocery, cellar, soap or tallow chandler, or blacksmith shop, tanneries, stable, privy, sewer or any other unwholesome or nauseous house or place, to cleanse, remove and abate the same, as may be necessary for the health, comfort and convenience of the inhabitants.
- Breweries, etc.** *Thirty-fourth.*—To direct the location and regulate the construction and management of breweries, tanneries, blacksmith shops, founderies, livery stables and packing houses; to direct the location and regulate the construction and management of, and restrain, abate and prohibit, within the city and to the distance of one mile from the limits thereof, distilleries, slaughtering establishments, establishments for steaming or rendering lard, tallow, offal and such other substances as may be rendered, and all other establishments or places where any nauseous, offensive or unwholesome business may be carried on.
- Regulate the burial of dead.** *Thirty-fifth.*—To regulate the burial of the dead; to establish one or more cemeteries; to regulate the registration of births and deaths; to direct the returning and keeping of bills of mortality, and to impose penalties upon physicians, sextons and others for any default in the premises.
- Enumeration of inhabitants.** *Thirty-sixth.*—To provide for taking of the census, and enumeration of the inhabitants of the city.
- House of correction.** *Thirty-seventh.*—To erect and establish a work house or house of correction, make all necessary regulations therefor, and appoint all necessary keepers or assistants. In such work house, or house of correction, may be confined all vagrants, stragglers, idlers, and disorderly persons, who may be committed thereto by any proper officer; and all persons sentenced by any criminal court or magistrate's court in and for the city, for any assault and battery, petit larceny, or other misdemeanor or breach of any ordinance of the city, punishable by imprisonment in any county jail, and any person who shall fail or neglect to pay any fine, penalty or costs imposed by any ordinance of the city, may, instead of being committed to the county jail of Montgomery county, be kept therein, subject to labor and confinement.
- Destitute children.** *Thirty-eighth.*—To authorize and direct the taking up and providing for the safe keeping and education, for such periods of time as may be deemed expedient, of all children who are destitute of all parental care.
- Clean private premises.** *Thirty-ninth.*—To fill up, drain, cleanse, alter, relay, repair and regulate any grounds, lots, yards, cellars, private drains, sinks and privies; and to direct and regulate their

construction, and cause the expense thereof to be assessed and collected in the same manner as sidewalk assessments.

Fortieth.—To direct and control the laying out and construction of railroad tracks, bridges, turn-outs and switches, in the streets and alleys, and the location of depot grounds within the city; to require that railroad tracks, bridges, turn-outs and switches shall be so constructed and laid out as to interfere as little as possible with the ordinary travel and use of the streets and alleys, and that sufficient space shall be left on either side of said track, for the safe and convenient passage of teams and persons; to require said railroad company to keep in repair the streets through which their tracks may run, and to construct and keep in repair suitable crossings at the intersection of streets and alleys and sewers, ditches and culverts, when the city council shall deem necessary; to regulate the speed of locomotive engines within the inhabited portion of the city.

Railroad tracks and crossings.

Forty-first.—The city council shall have power to pass, publish, amend and repeal all ordinances, rules and police regulations, not inconsistent with the laws of the United States or of this state, for the good government, order and peace of the city and the trade and commerce thereof, that may be proper or necessary to carry into effect the powers vested by this act in the corporation, the city government or any department or officer thereof; to determine what shall be a nuisance, and provide for the punishment, removal and abatement of the same; to enact and enforce the observance of such rules, ordinances and police regulations, and to punish violations of the same, by fines, penalties and imprisonment in the county jail, city prison or work house, or both, in the discretion of the court or magistrate before whom conviction may be had; but no fine or penalty shall exceed five hundred dollars, or the imprisonment six months, for any offense; and such fine and penalty may be recovered, with costs, in an action for debt, in the name and for the use of the city, before any court having jurisdiction, or by presentment and indictment in the circuit court of Montgomery county; and any person upon whom any fine or penalty is imposed, shall stand committed until the payment of the same and costs, and, in default thereof, may be imprisoned in the county jail, city prison or work house, or required to labor on the public streets or public works for the city, for such time and in such manner as may be provided by ordinance.

Power to pass laws for government of the city

ARTICLE VI.

OF TAXATION.

SECTION 1. The city council shall have power, within the city, by ordinance—*First*: To levy and collect, annually, taxes, not exceeding one per centum on all real and personal estate and property within the city, and personal

Levy taxes for general purposes.

Proviso.

property of the inhabitants thereof, made taxable by the laws of the state for the purposes of the state, to defray the general and contingent of expenses of the city, not herein otherwise provided for; which taxes shall constitute the general funds, and also on the same property, taxes not exceeding one-half of one per cent., which, with the poll tax, shall constitute the highway fund; and all taxes and assessments, special or general, levied by the city council, which shall not be paid as fixed by ordinance, shall be collected as the council may prescribe by ordinance, not inconsistent with the constitution and laws of this state. And full power is hereby given, to adopt the mode and manner as specified in an act entitled "An act to amend the charter of the several towns and cities in this state," passed March 1, 1854. The city council shall also have power to lay and levy a yearly poll tax, not exceeding three dollars per capita, on all male inhabitants of said city over twenty-one years of age and not over fifty years of age, to be levied and collected as other personal taxes, which poll tax shall belong to the highway fund of said city: *Provided*, the inhabitants of said city are hereby exempted from working on any road beyond the limits of the city, and from paying any tax to procure labor upon the same.

ARTICLE VII.

OF ASSESSMENTS FOR OPENING STREETS AND ALLEYS.

Opening streets and highways.

SECTION 1. The city council shall have power, upon the petition of the owners of two-thirds of the property fronting thereon, and without such petition, by the unanimous vote of the said city council, to open and lay out all public grounds or squares, streets, alleys and highways, or sections thereof, and to alter, widen, contract, straighten and discontinue the same; but no street, alley or highway, or any part thereof, shall be discontinued or contracted, without the consent, in writing, of all persons owning land or lots adjoining said street, alley or highway. The city council shall cause all streets, alleys or highways, or public squares or grounds, laid out by them, to be surveyed and described, and recorded in a book to be kept by the clerk, showing, accurately and particularly, the proposed improvements and the real estate required to be taken; and the same, when opened and made, shall be public highways and public squares.

Condemnation of land.

§ 2. Whenever any street, alley or highway, public grounds or squares is proposed to be laid out, opened, altered, widened or straightened, by virtue hereof, and the amount of compensation cannot be agreed upon, the city council shall give notice of their intention to appropriate and take the lands necessary for the same, to the owners thereof, by publishing said notice, by two insertions in a weekly paper or six insertions in a daily paper, in the newspaper publish-

ing the ordinances of the city; at the expiration of which time they shall appoint three disinterested freeholders, residing in the city, as commissioners, to ascertain and assess the damages and recompense due the owners of said real estate, respectively. And at the same time determine what persons will be benefited by such improvement, and assess the damages and expenses thereof on the real estate in the neighborhood of the improvement benefited thereby, in proportion, as nearly as may be, to the special benefit resulting to each, and the balance to be assessed against the city. A majority of the councilmen authorized to be elected shall be necessary to a choice of commissioners. The commissioners shall be sworn faithfully and impartially to execute their duties to the best of their abilities, before entering upon their duties. They shall give at least five days' personal notice of the time and place of their meetings, for the purpose of viewing the premises, and making their assessments, which shall be given only to the owners that are residents thereof, and known. They shall view the premises, and in their discretion receive any legal evidence, and may, if necessary, adjourn from day to day.

Commissioners
appointed.

Commissioners,
duty of.

§ 3. If there should be any building standing, in whole or in part, upon the land to be taken, the commissioners, before proceeding to make their assessment, shall first estimate and determine the whole value of such building to the owner, and aside from the value of the land, and the actual injury to him in having such building taken from him, and secondly, the value of such building to him to remove.

Buildings taken

§ 4. At least five days' notice shall be given to the owner, of such determination, when known and a resident of the city, which may be given personally or in writing, left at his usual place of abode. If a non-resident or unknown, like notice to all persons interested shall be given, by one publication in a newspaper publishing the ordinances of the city. Such notice shall specify the buildings and the award of the commissioners, and [shall be] signed by them. It shall also require the persons interested to appear by a day to be named therein, not exceeding thirty days, or to give notice of the election to the city council either to accept the award of the commissioners, and allow such building to be taken, with the land condemned, or appropriated, or of their intention to receive such building at the value set thereon by the commissioners to remove. If the owner shall agree to remove such building, he shall have such reasonable time for that purpose as the city council may direct.

Notice to owner.

§ 5. If the owner refuses to take the building at its appraised value to remove, or fails to give notice of his intention as aforesaid, within the time prescribed, the city council shall have power to direct the sale of such building at public auction, for cash or on credit, giving five days' public notice of the sale. The proceeds of the sale shall be paid to the owner, or deposited to his use.

When owner
refuses to take
at valuation.

Valuation.

§ 6. In making their assessment, the commissioners shall ascertain the value of the lands to be taken, all expenses of the improvement, and the damages occasioned thereby, and then assess upon the property in the neighborhood benefited, in fair proportions, a sum sufficient to cover an amount of damages thereof equal to the special benefit derived therefrom; which shall be paid to the owners, respectively, and be a lien upon the property upon which it may be assessed, and collected as other assessments are collected, by sale of lands, or otherwise; the balance of damages, over and above the special benefits, shall be paid by the city. The value of the land taken from any owner shall be a credit to him on the assessment against him for his share of the improvement, and if more, the difference shall be paid, in money, before the land is taken. Said commissioners shall particularly describe the lands and parcels on which either assessment may be made, and make a return of their proceedings and assessments to the city council within ten days after its completion.

Duty of clerk.

Notice by publication.

Parties aggrieved may be heard

Removal of commissioners.

Possession and appropriation of land.

Appeals allowed

§ 7. The clerk shall give ten days' notice, by one publication in the newspaper publishing the ordinances of the city, that such an assessment has been returned, and on the day specified therein, will be acted upon by the city council, unless objections are made to the same by some person interested. Objections may be heard before the city council, and the hearing may be adjourned from day to day. The council shall have power, in their discretion, to alter, confirm or amend the assessment. If annulled, all the proceedings shall be void. If altered or confirmed, an order shall be entered directing a warrant to issue for the collection thereof.

§ 8. The city council shall have power to remove the commissioners, and, from time to time, appoint others in place of such as may be removed, refuse, neglect or are unable, from any cause, to serve.

§ 9. The land required to be taken for the making, widening, opening, straightening or altering any street, alley or other highway, or public ground or square, shall not be appropriated, until the damages awarded therefor to any owner thereof, under this act, shall be paid or tendered to such owner or his agent, or in case such owner or his agent cannot be found in the city, deposited in some safe place of deposit, to their credit, other than the hands of the trustees; and then, and not before, such lands may be taken and appropriated for the purposes required in making such improvements; and such streets, alleys or other highways, or public grounds, may be made and opened.

§ 10. Any person interested may appeal from any final order of the city council for opening, altering or straightening any street, alley, highway or public ground,

to the circuit court of Montgomery county. After the passage of such final order, said court shall hear and determine such appeal, and confirm or annul the proceedings; from which appeal no judgment or writ of error shall lie. Upon trial of the appeal, all questions involved in said proceedings, including the amount of damages, shall be opened to investigation by affidavit or oral testimony adduced to the court, or upon application of the city or any party, the amount of damages may be assessed by a jury in said court, without formal pleading, and judgment rendered accordingly. The court shall not set aside the proceedings or final order of the city council for any omission or informality, without injury has resulted therefrom.

§ 11. When any owner known, or other person having an interest in any real estate, residing in the city or elsewhere, shall be an infant, and any proceedings be had under this act, the judge of the circuit court or any judge of a court of record, may, upon application of the city council, or such infant or his next friend, appoint a guardian for such infant, taking security from such guardian for the faithful execution of such trust; and all notices and summons required by this act shall be served on such guardian, and the final determination of either the city council or court, in the premises, shall be conclusive on such infant, and the proceedings shall not be opened at any time thereafter.

In case owner
is a minor.

ARTICLE VIII.

PUBLIC IMPROVEMENTS AND ASSESSMENTS THEREFOR.

SECTION 1. The city council of said city shall have power, from time to time, to cause any street, avenue or highway to be filled, refilled, graded, leveled, paved, planked, graveled, macadamized or repaired, and to alter and to change the grade of the same, and cause sidewalks and crosswalks to be constructed, reconstructed and repaired, on said streets and avenues, and to erect lamp posts and lamps thereon, and to assess and to collect the expense and cost of the same, together with the expenses of collection, from the real property benefited thereby, to the extent of the benefit so conferred by such improvement, the balance of the cost of such improvement to be paid out of the street funds. Said assessment and collection to be made as the city council may, by ordinance, direct: *Provided*, the owners of two-thirds of the lots fronting or abutting on said improvements shall petition for the same, or said improvements shall be ordered by a majority of all the members elected to the city council: *And, also, provided*, that the owner or owners of any lot fronting or abutting on said improvement shall have the right, for thirty days after the publication of the ordinance of the city council authorizing the same, to fill, grade, pave or plank the street or avenue

Streets, alleys
and highways.

Improvements.

May levy and assess for improvements.

or construct or repair the sidewalks in front of his or their lot or lots, to the satisfaction of the street committee, and receive appropriate credit therefor. The city council may cause the improvements in this section authorized to be made, and paid for out of any money in the treasury at their disposal, and afterward cause the expense thereof, with the cost of collection, to be reimbursed by special assessment, as in other cases; and where such improvements have been already made and paid for, in whole or in part by the city, the expense thereof may be reimbursed by similar special assessment.

Improvements made by consent of council.

§ 2. No improvement shall be ordered involving an expenditure of money, except by ordinance, the provisions of which shall be specified and definite.

ARTICLE IX.

COLLECTION OF TAXES AND ASSESSMENTS.

Return of assessment lists.

SECTION 1. The annual assessment lists shall be returned by the assessor on or before the first day of July, in each year; but the time may be extended by the city council. On the return thereof, the city council shall fix a day for hearing objections thereto; and the clerk shall give one week's notice of the time and place of such hearing, by one publication in the newspaper publishing the ordinances of the city; and any person feeling aggrieved by the assessment of his property, may appear at the time specified and make his objections in writing thereto. The city council shall have power to supply omissions in said assessment lists, and, for the purpose of equalizing same, alter, add to, take from, and otherwise correct and revise the same, or to refer the same back to the assessor, with instructions to revise and correct.

Omissions. § 2.

Confirmation of special assessments.

§ 2. When the assessment lists have been revised and corrected, they shall be filed, and an order confirming and ordering the warrant to be issued for the collection thereof, shall be entered by the clerk. The city council shall thereupon, by ordinance or resolution, levy such sum or sums of money as may be sufficient for the several purposes for which taxes are herein authorized to be levied, not exceeding one per cent. for general purposes, one-half of one per cent. for highway purposes, and two per cent. for school purposes, and, in their discretion, specifying the purposes for which the same are levied; and, if not for general purposes, the division of the city on which the same are levied.

Taxes, a lien on real estate.

§ 3. All taxes and assessments, general or special, levied or assessed by the city council under this act or any ordinance in pursuance thereof, shall be a lien upon the real estate upon which the same may be imposed, voted or assessed, for two years from and after the said first day of July, and on personal estate from and after the delivery of

the warrant for the collection thereof until paid, and no sale or transfer shall affect the lien. Any personal property belonging to the debtor may be taken and sold for the payment of taxes on real estate, and the real estate shall be liable for the taxes on personal property, in case of removal: *Provided*, that in case the collection of any assessment shall be delayed by injunction or other judicial proceedings, the same shall continue a lien, unless set aside, upon the real estate, for the period of two years from and after the disposition of such injunction or other judicial proceedings.

Injunction.

§ 4. The clerk shall issue a warrant or warrants for the taxes, and rule therein separate columns, in which the taxes levied shall be separately set down opposite the name of the person or such real estate subject thereto. Each column shall be headed with the name of the tax therein set down.

Warrants for collection of taxes.

§ 5. All warrants issued for the collection of general or special taxes and assessments, shall be signed by the mayor and clerk, with the corporate seal thereto attached, and shall contain true and perfect copies of the corrected assessment lists upon which the same may be collected, and shall be delivered to the collector for collection by the first day of July, unless further time be given by the city council, of which he shall give notice, by publication in the newspaper publishing the ordinances of the city. The collector shall thereupon proceed to the collection of said taxes; but he shall in no case be compelled to make personal call or demand for the same. If not otherwise paid by the first day of September following, the collector shall have power to collect such taxes, with interest and cost, by suit, in the corporate name of the city, or by distress and sale of personal property, after a demand and a refusal to pay the same: *Provided*, a notice, published by the collector for ten days, in the newspaper publishing the ordinances of the city, or posted up in four public places in the city, shall be deemed a demand; and a neglect to pay taxes for twenty days thereafter, shall be deemed a refusal. The assessment lists, in all cases, shall be evidence on the part of the city.

Warrant to be signed and sealed.

Non-payment of taxes.

§ 6. All taxes and assessments, general or special, shall be collected by the collector in the same manner and with the same powers and authority as are given by law to collectors of county and state taxes, or for the collection of city taxes and assessments, under the act entitled "An act to amend the charters of the several towns and cities of this state," approved March 1st, 1854; and his duty in regard to returning warrants and settling with the city, and his liabilities in case of default or misconduct, shall be the same as prescribed by law: *Provided*, the city council shall have power to prescribe the powers, duties, compensation and liabilities of the collector, by ordinance.

Duties of city collector.

Delinquent tax sales.

§ 7. In case of the non-payment of any taxes or assessments levied or assessed under this act, by the first day of September, of each year, the premises may be sold at any time thereafter within two days. All sales shall be conducted in the manner prescribed by law; but the city council shall have power to prescribe the manner of conducting the same. The sale shall be made for the smallest portion of ground, (to be taken from the east side of the premises), for which any person will take the same and pay the taxes and assessments thereon, with interest and cost of sale. Duplicate certificates of sale shall be made and subscribed by the collector, one of which shall be delivered to the purchaser and the other filed in the office of the city clerk; which certificate shall contain the name of the purchaser, a description of the premises sold, the amount of taxes or assessments thereon, with interest and expenses, for which the same was sold, and when the time to redeem will expire. The collector shall be allowed the same fees for selling as are allowed for similar services; or his fees may be regulated by ordinance. The city clerk shall keep a record of such sales, which shall be open to public inspection at all reasonable times, and he shall be allowed such fees as are now allowed by law for similar services.

Fees of collector

Right of redemption.

§ 9. In case of redemption, the money may be paid to the purchaser, or for him to the city clerk, who shall make a special deposit thereof with the city treasurer, taking his receipt therefor. If not redeemed according to law, the city council shall, upon the return of the certificate or proof of its loss, direct a deed to be executed to the purchaser, under the corporate seal, signed by the mayor and countersigned by the city clerk, conveying to such purchaser the premises so sold and unredeemed, as aforesaid. An abstract of all deeds so made and delivered shall be entered by the city clerk in the book wherein tax sales are recorded.

Deeds for tax sales.

§ 10. The assignee of any tax certificate of any premises sold for taxes or assessments under the authority of the city, shall be entitled to receive a deed of such premises in his own name, and with the same effect as though he had been the original purchaser.

When no bids.

Property may be struck off to the city.

§ 11. If, at any sale of real estate for taxes or assessments, no bid shall be made for any parcel of land, the same shall be forfeited to the city, and shall be carried forward by the city clerk, upon the tax book of the next succeeding year, as in case of sales for state and county purposes.

Tax deeds shall be prima facie evidence.

§ 12. All deeds made to purchasers of lots sold for taxes or assessments, shall be *prima facie* evidence, in all controversies and suits in relation to the rights of the purchaser, his heirs and assigns, to the premises hereby conveyed, of the following facts:

First—That the lot or land conveyed was subject to tax- Advertisement.
ation or assessment at the time the same was advertised for
sale, and had been listed and assessed at that time and in
the manner required by law.

Second—That the taxes or assessments were not paid at Taxes not paid.
any time before the sale.

Third—That the land conveyed had not been redeemed Non-red'mption
from the sale at the date of the deed.

And shall be conclusive evidence of the following facts :

First—That the land or lot was advertised for sale for Was advertised.
the length of time and in the manner required by law.

Second—That the land was sold for taxes or assessments, Sale of land.
as stated in the deed.

Third—That the grantee in the deed was the purchaser. Deed.

Fourth—That the sale was conducted in the manner re- Title to land.
quired by law.

And in all controversies involving the title to land claimed Sales, manner
and held under and by virtue of such deeds, the person of conducting.
or persons claiming title adverse to the title conveyed by
such deed shall be required to prove, in order to defeat
said title, either that the land was not subject to taxation
at the date of the sale, that the taxes or assessments had
been paid, that the same land never been listed or assessed
for taxation or assessment, or that the same had been re-
deemed according to the provisions of this act, and that such
redemption was made for the use and benefit of the person
having the right of redemption under the laws of the state;
but no person shall be permitted to question the title ac- Title to land.
quired by said deed, without first showing that he, she or
they, or the person under whom he, she or they claimed
title, had title to the land at the time of sale, or that the
title was obtained from the United States or from this
state after the sale, and that all taxes due upon the lands
have been paid by such person or persons under whom he
claims title, as aforesaid.

§ 13. Appeals may be taken from any assessment made Appeal taken.
by the city assessor, to the city council, by any tax-payer
who is aggrieved by any assessment; and in like manner
each tax-payer within the city shall have the right to ap-
peal to the circuit court, from any final order of the city
council made, touching or concerning assessments or collec-
tions of taxes within said city: *Provided*, said appeal shall
be prayed and perfected within ten days, as is now required
by law in cases before justices of the peace.

ARTICLE X.

FIRE DEPARTMENT.

SECTION 1. The city council, for the purpose of guarding Fire department
against the calamities of fire, shall have power to prohibit Prohibitions.
the erection, placing or repairing of wooden buildings

within the limits prescribed by them, without their permission; and direct and prescribe that all buildings within the limits prescribed shall be made or constructed of fire-proof material, and to prohibit the rebuilding of wooden buildings; to declare all dilapidated buildings to be nuisances, and to direct the same to be repaired, removed or abated, in such manner as they shall prescribe and direct; to declare all wooden buildings which they may deem dangerous to contiguous buildings, or in causing and promoting fires, to be nuisances, and to require and cause the same to be abated or removed in such manner as they shall prescribe.

§ 2. The city council shall have power—

Chimneys and
flues.

First.—To regulate the construction of chimneys and flues so as to admit of chimney-sweeps, or other modes of cleaning, and to compel the sweeping and cleaning of chimneys.

Fire places, etc.

Second.—To prevent and prohibit the dangerous construction of chimneys, flues, fire-places, stove pipes, ovens, or any other apparatus used in or about any building or manufactory, and cause the same to be removed or placed in a secure and safe condition, when considered dangerous.

Ashes.

Third.—To prevent the deposit of ashes in unsafe places, and to appoint one or more officers to enter into all buildings and inclosures, to examine and discover whether the same are in a dangerous state, and to cause such as are dangerous, to be put in a safe condition.

Fire buckets

Fourth.—To require the inhabitants to provide as many fire buckets, and in such manner and time as they shall prescribe, and to regulate the use thereof in times of fire; and to require all occupants and owners of buildings to construct and keep in repair wells or cisterns upon their premises.

Manufactories.

Fifth.—To regulate and prevent the carrying on of manufactories and works dangerous in promoting and causing fires.

Fire works.

Sixth.—To regulate and prevent and prohibit the use of fire arms and fire works.

Combustibles.

Seventh.—To prohibit or have the management of houses for storing gunpowder, or direct and prohibit other and dangerous materials within the city; to regulate the keeping and conveying the same, and the use of candles and other lights in stables and other like houses.

Walls, fences.

Eighth.—To regulate and prescribe the manner and order the building of parapet and partition walls and of partition fences.

Scuttles, etc.

Ninth.—To compel the owners or occupants of houses or other buildings to have scuttles in the roofs, and stairs and ladders leading to the same.

Regulate conduct of persons
at fires.

Tenth.—To authorize the mayor, fire wardens, or other officers of said city to keep away from the fires all suspicious

persons, and to compel all officers of the city, and all other persons, to aid in the extinguishment of fires, and in the preservation of property exposed to damage or danger thereat, and in preventing goods from being stolen.

Eleventh.—And, generally, to establish such regulations for the prevention and extinguishment of fires as the city council may deem expedient. Extinguishment of fires.

§ 3. The city council may procure fire engines and all apparatus used for the extinguishment of fires, and have the control and charge of the same, and provide secure and fit houses and other places for keeping and preserving the same; and shall have power— Engines.

First.—To organize fire, hook, hose, ax and ladder companies. Hook and ladder companies.

Second.—To appoint, during their pleasure, a competent number of able and respectable inhabitants of the city, firemen, to take the care and management of the engines and other apparatus and implements used and provided for the extinguishment of fires. Firemen.

Third.—To prescribe the duties of firemen, and to make rules and regulations for their government, and to impose reasonable penalties upon them for violation of the same; and for incapability, neglect of duty, or misconduct, to remove them. Duty of firemen.

Fourth.—The city council shall have power to appoint a chief and assistant engineer of the fire department, and they, with the other firemen, shall take the care and management of the engines and other apparatus and implements provided and used for the extinguishment of fires; and their powers and duties shall be prescribed and defined by the city council. Engineers.

ARTICLE XI.

BOARD OF HEALTH.

SECTION 1. A board of health, consisting of three or more commissioners, may be appointed annually by the city council; and the mayor or presiding officer of the city council, shall be president of the board, and the city clerk shall be their clerk and keep minutes of the proceedings. Board of health.

§ 2. It shall be the duty of the health officers to visit every sick person who may be reported to them as hereafter provided, and report with all convenient speed their opinion of the sickness of such person to the clerk of the board, and to visit and inspect all houses and places in which they may suspect any person to be confined with any pestilential or infectious diseases, or to contain unsound provisions, or damaged or putrid vegetable or animal matter, or other unwholesome articles, and to make Duty of health officers.

report of the state of the same, with all convenient speed, to the clerk of the board.

Infected and diseased persons to be removed.

§ 3. All persons in the city, not residents thereof, who may be infected with any pestilential or infectious disorder, or all things which in the opinion of the board shall be infected by or tainted with pestilential matter, and ought to be removed so as not to endanger the health of the city, shall, by order of said board, be removed to some proper place, not exceeding five miles beyond the limits of the city, to be provided by the board, at the expense of the party to be removed, if able, and the board may order any furniture or wearing apparel to be destroyed, whenever they may deem it necessary for the health of the city, by making just compensation.

Penalty for violations.

§ 4. The city council shall have power to prescribe the powers and duties of the board of health, and punish, by fine or imprisonment, or both, any refusal or neglect to preserve the orders and regulations of the board.

Powers and duties of the board of health.

§ 5. The health officers may be authorized by the city council, when the public interest require, to exercise for the time being, such of the powers, and perform such of the duties of marshal or street commissioner as the city council may in their discretion direct, and shall be authorized to enter all houses and other places, private or public, at all times, in the discharge of any duty under this act or any ordinance.

Duties of physicians.

§ 6. Every person practicing physic in this city, who shall have a patient laboring under any malignant, infectious or pestilential disease, shall forthwith make report in writing to the clerk of the board, and for neglect to do so, shall be considered guilty of a misdemeanor, and liable to a fine not exceeding fifty dollars, to be sued for and recovered with costs, in an action for debt, in any court having cognizance thereof, or before justices of the peace, for the use of said city.

ARTICLE XII.

OF SCHOOLS AND SCHOOL FUNDS.

Schools.

SECTION 1. All those parts of townships number eight (8) and nine (9) north, of range five (5) west of the third (3d) principal meridian, lying within the corporate limits of the said city of Litchfield, as defined in article one (1) of this act, with such other parts of said township as may be incorporated and come under the jurisdiction of said city, is hereby erected into a common school district, to be known as the Litchfield school district.

Abstract of the number of white children.

§ 2. It shall be the duty of the city council to cause an abstract of the whole number of white children, under the age of twenty-one (21) years, in the Litchfield school district, to be furnished to the superintendent of public in-

struction of Montgomery county within ten days after the same shall be ascertained, and the said superintendent of public instruction shall pay, annually, to the clerk of the city of Litchfield the proportion of the school, college and seminary fund to which the said Litchfield school district may be entitled, according to the number of persons under the aforesaid age residing in said district, taking his receipt therefor, but no abstract shall be required to be returned to the superintendent of public instruction oftener than is required by law in other school districts.

§ 3. The school land, school fund, and other property of the Litchfield school district, shall be vested in the city of Litchfield. The city council shall have power, at all times, to do all acts and things in relation to said school land, school fund, and other property which they may think proper for their safe preservation and efficient management, and sell or lease said lands and all other property which may have been, or may hereafter be, donated to the school fund, on such terms and at such times as they may deem most advantageous, and on such sale or lease, to make, execute and deliver all proper conveyances, which said conveyance shall be signed by the mayor or presiding officer and countersigned by the clerk, and sealed with the corporate seal, but the proceeds arising from such sale shall be added to and constitute a part of the school fund. School lands and fund.

§ 4. Nothing shall be done to impair the principal of said fund, or to appropriate the interest accruing from the same, to any other purpose than the payment of teachers in the public schools of the district, and should there be any surplus of interest, it shall be carried to and form a part of the school fund. When principal and interest is doubtful, how to proceed.

§ 5. The city council shall have power :

First.—To erect, hire or purchase buildings suitable for school houses, and to keep the same in repair. Houses.

Second.—To buy or lease sites for school houses, with the necessary grounds. Grounds.

Third.—To furnish schools with the necessary fixtures, furniture and apparatus. Libraries, furniture, etc.

Fourth.—To maintain, support and establish schools, and supply the inadequacy of the school fund for the payment of the city teachers from school taxes. Expense of the schools.

Fifth.—To fix the amount of compensation to be allowed to teachers. Compensation to teachers.

Sixth.—To prescribe the school books to be used, and the studies to be taught in the different schools. School books.

Seventh.—To lay off and divide the city into smaller school districts, and, from time to time, alter the same and create new ones, as circumstances may require. Divide districts.

Eighth.—The city council shall be, *ex officio*, trustees and directors of schools, but they may appoint six (6) inspectors, or two for each ward in the city, to be denominated a Ex-officio trustees.

board of school inspectors, and shall establish and prescribe thier powers and duties.

To make rules
and regulations.

Ninth.—And, generally, to have and possess all the rights, powers and authority necessary for the proper management of the schools, and the school lands, and funds belonging to the said school district, with power to enact such ordinances as may be necessary to carry their powers and duties into effect.

Finances and
property.

§ 6. The city council shall have power to appoint a school agent, who shall have the custody and management of the moneys, securities and property belonging to the school fund of the district, subject to the direction of the city council.

Duties of the
school agent.

§ 7. The school agent, before entering upon his duties, shall give bond in such amount, and with such conditions and securities, as the city council may require. His compensation shall not be paid out of the school fund, and he shall be subject, for misconduct, to the same penalties and imprisonment as county superintendents of public instruction are or may be subject to by law.

Fund loaned.

§ 8. The school fund shall be kept loaned at interest, at the rate of ten per cent. per annum, payable semi-annually in advance. No loan shall be made for a longer period than five years, and all loans exceeding one hundred dollars shall be secured by unincumbered real estate of double the value of the sum loaned, exclusive of the value of perishable improvements thereon. For sums of less than one hundred dollars, two securities besides the principal, shall be required: *Provided*, the city council shall have power to increase the rate of interest, by a vote of two-thirds of all the aldermen elected.

Securities, etc.

§ 9. All notes and securities shall be taken to the city of Litchfield for the use of the inhabitants of said city, for school purposes, and in that name all suits and actions, and every description of legal proceedings, may be had.

Expenses.

§ 10. All expenses of preparing or recording securities shall be paid exclusively by the borrower.

Indebtedness.

§ 11. In the payment of the debts of deceased persons, those due the school fund shall be paid in preference to all others, except the expense attending the last illness and funeral of the deceased, not including the physician's bill.

Suits instituted.

§ 12. If default be made in the payment of interest, or of the principal when due, the same may be recovered by suit or otherwise.

Judgment.

§ 13. All judgments recovered for principal or interest, or both, shall respectively bear interest at the rate specified in the note, from the rendition of judgment until paid; and in case of the sale of real estate thereon, the city of Litchfield may become the purchaser thereof, for the use of the school fund, and shall be entitled to the same rights given

by law to other purchasers, on redemption, ten per cent. interest shall be paid from the day of sale.

§ 14. No cost made in the course of any judicial proceeding, in which the city of Litchfield, for the use of the school fund, may be a party, shall be chargeable to the school fund. Costs.

§ 15. If the security on any loan should at any time before the same is due, become, in the judgment of the school agent and city council, insecure, the agent shall notify the person indebted; and unless further satisfactory security shall be forthwith given by the debtor, judgment may be recovered thereon as in other cases, although no conditions to that effect be inserted in the note or other security.

§ 16. The council shall annually publish, at such times as may be prescribed by ordinance in the newspaper publishing the ordinances of the city, a statement of the number of pupils instructed in the year preceding, the several branches of education pursued by them, and the receipts and expenditures of each school, specifying the sources of such receipts, and the object of such expenditures. Publication of ordinances.

§ 17. The school tax shall be paid into the city treasury, and be kept a separate fund for the building of school houses and the keeping of the same in repair, and supporting and maintaining schools, and should there be at any time a surplus, the same may be paid over to the school fund and form a part of the same. Tax, where paid

§ 18. Any person owning land, or residing around or adjacent to said city, within two miles thereof, may, with his consent and the consent of the trustees of his township, be annexed to said Litchfield school district, and school tax may be levied and collected upon the land and property of such person subject to taxation, by the city collector, in the same manner as school taxes within the said district. Annexation to school distr.ct.

ARTICLE XIII.

MISCELLANEOUS PROVISIONS.

SECTION 1. The city council shall, at least ten days before the annual election, in such year, cause to be published, in the newspaper publishing the ordinances of the city, a correct and full statement of the receipts and expenditures from the date of the last annual report, together with the sources from which the former are derived, and the mode of disbursement, and, also, a distinct statement of the whole amount assessed, received and expended in the several wards and divisions, for making and repairing streets, highways and bridges for the same period, together with such information as may be necessary to a full understanding of the financial concerns of the city. Financial statement.
Publication of.

Fees of city attorney and prison keeper.

§ 2. The city council may provide for the payment of the city attorney's and prison keeper's fees when they cannot be collected from the offender, but said city, or any person prosecuting on its behalf, shall not, in any case, pay, or be compelled to give security for costs before commencing suit, nor at any other time, until it is ascertained that it cannot be made out of defendant.

Fines, paid to city treasury.

§ 3. All fines, forfeitures and penalties collected for offenses committed within the city of Litchfield, shall be paid into the treasury of said city by the officers collecting the same, and all fines and forfeitures collected of any citizen of said city for any conviction in the circuit court, shall be paid over in like manner.

Remission of fines.

§ 4. Neither the city council nor mayor shall remit any fine or penalty imposed for the violation of any of the laws or ordinances of said city, or release from confinement, unless two-thirds of all the aldermen elected shall vote for such release or remission; nor shall anything in this act be so construed as to oust any court of jurisdiction to abate or remove any nuisance within its jurisdiction, by indictment or otherwise.

Publication of ordinances.

§ 5. Every ordinance, regulation and by-law imposing any penalty, fine, imprisonment or forfeiture, for a violation of its provisions, shall, after its passage, be published three times, where there is a daily paper published; otherwise, once in a weekly paper: *Provided*, the proof of such publication shall not be necessary, unless it is denied under oath; and such publication may be dispensed with entirely, in cases of emergency, by the unanimous vote of the council, and proof of such publication, by the affidavit of the printer or publisher of such newspaper, taken before any officer authorized to administer oaths, and filed with the clerk, or any other competent proof of such publication, shall be conclusive evidence of the legal publication and promulgation of such ordinance, regulation or by-law in all courts and places.

All actions and suits vested in corporation.

§ 6. All actions brought to recover any forfeiture or penalty, under this act, or any ordinance, by-law or police regulation, made in pursuance thereof, shall be brought in the corporate name. It shall be lawful to declare, generally, in debt for such penalty, fine or forfeiture, stating the clause of this act, or the by-law or ordinance under which the penalty or forfeiture is claimed, and to give the special matter in evidence under it, or the defendant may be tried by presentment, in the court of common pleas, or in the circuit court.

First process a summons.

§ 7. In all prosecutions for any violation of any by-law, ordinance or regulation, the first process shall be a summons, unless oath or affirmation be made for warrant, as in other cases; and the council may provide for issuing the warrant in the instance, without oath.

§ 8. Execution may be issued immediately on rendition of judgment. If the defendant has no goods or chattels, nor real estate, within the city of Litchfield, whereof the judgment can be collected, the defendant may be confined in the city jail, for a term not exceeding six months, in the discretion of the court rendering the judgment; and all persons who may be committed under this section, shall be confined one day for each dollar and a-half of such costs and judgment. All fines, penalties and forfeitures, when collected, shall be paid into the city treasury.

Execution may
issue for fines.

§ 9. The city magistrate shall have concurrent authority with justices of the peace, under the laws of this state, and in the event of his office becoming vacant, or of his inability to attend to its duties for a time, the city council shall have power to designate any neighboring magistrate, who shall attend to the said duties until the vacancy shall be filled, or he be able to return to the duties thereof.

Jurisdiction of
magistrate.

§ 10. All executions, and other civil process, by said city magistrate, shall be governed by the rules as are now provided by law for judgments and executions of ordinary justices of the peace.

Executions.

§ 11. Any person who shall destroy or injure any bridge or any public building, or any other property belonging to the city, or shall cause or procure the same to be injured, shall be subject to a penalty not exceeding five hundred dollars for such offense, and may be imprisoned not exceeding six months, in the discretion of the court before whom such conviction may be had; and such person may also be liable in a civil action, at the suit of the city or any person injured thereby, for the damages occasioned by such injury or destruction.

Injuring public
property, etc.

§ 12. No person shall be an incompetent judge, justice, witness or juror, by reason of his being an inhabitant or freeholder of the said city of Litchfield, in any action or proceeding in which the said city may be a party or interested.

Incompetent
judge or juror.

§ 13. All ordinances of the city, when printed and published by authority of the city council, shall be received in all courts and places without further proof, which shall not be required until denied under oath.

Ordinances
shall be evi-
dence

§ 14. The style of all ordinances shall be, "*Be it ordained by the City Council of the City of Litchfield.*"

Style of ordi-
nances.

§ 15. The city may appeal in all cases arising under the charter and ordinances of the city, without giving security; and the mayor, in case of appeal by the city, shall execute bond under the corporate seal, without surities, and a resolution or ordinance authorizing the same shall be sufficient authority therefor; nor shall the city in any case be required to file bond or security for costs.

Appeals, how
taken.

§ 16. No person shall be eligible to the office of mayor or the office of alderman, created by this act, who is not,

Eligibility of
mayor.

at the time of his election, a *bona fide* owner of real estate in the said city of Litchfield.

Powers of the
city council.

§ 17. The city council shall have power to cause the lots and blocks of the city to be surveyed, platted, and numbered in consecutive numbers, from one upwards, and to designate and number all fractional and other lots and blocks, in such manner as they may prescribe by ordinance; and such plat, designation and numbers, when made and recorded, shall be a good and valid description of such blocks, lots, or fractional blocks; to establish, mark and declare the boundaries and names of streets and alleys; to require that all addition hereafter made to the city, or all lands adjoining or within the same, laid out in blocks or lots, shall be so laid out and platted to correspond and conform to the regular blocks, streets and alleys already laid out and established within the city.

§ 18. The street commissioners, in addition to the penalties prescribed by ordinance, shall, for willful neglect of duty, be liable to indictment and fine.

Vote of city
council, how re-
scinded.

§ 19. No vote of the city council shall be reconsidered or rescinded at a special meeting unless the meeting be called in whole or in part for that purpose, and the aldermen be so notified, and unless, at such special meeting, there be present as large a number of aldermen as were present when the vote was taken.

Cemetery lots.

§ 20. The cemetery lots, which may be laid out and sold by the city or private persons for private places of burial, shall, with the appurtenances, forever be exempt from execution and attachment.

Compensation
of officers.

§ 21. The mayor and each member of the city council shall receive such compensation, for their services as mayor and councilmen, as they may, from time to time, provide for by resolution or ordinance, to be paid from the city treasury thereof: *Provided*, the mayor's compensation shall not exceed one hundred dollars per annum, nor the councilmen fifty dollars, each, per annum.

Additions to
the city.

§ 22. Any tracts of land adjoining said city, which are now or may hereafter be laid out in lots or blocks of five acres or less, and duly platted according to law, and any tract of land adjoining the city, with the consent of the owners thereof, shall and may be annexed to said city and form a part thereof.

Hold one office.

§ 23. Neither the mayor nor any member of the city council shall be appointed to or be competent to hold any office, the emoluments of which are paid from the city treasury, or by fees directed to be paid by any act or ordinance of the city council, or be directly or indirectly interested in any contract, the expenses and considerations whereof are to be paid under any ordinance of the city council.

Arrests, with
or without war-
rant.

§ 24. All officers of the city created conservators of the peace by this act, or authorized by any ordinance, shall have power to arrest or cause to be arrested, with or without

process, all persons who shall break the peace or threaten to break the peace, or be found violating any ordinance of the city, to commit for examination, and, if necessary, detain such persons in custody or over the Sabbath, in the watchhouse or other safe place, or until they can be brought before a magistrate; and shall have and exercise such other powers, as conservators of the peace, as the city council may prescribe.

§ 25. No lands used for agricultural purposes, exceeding (20) acres, within the corporate limits, shall be subject to a corporation tax for the ordinary expenses of the city. Lands exempt from taxation.

§ 26. There shall be a digest of the ordinances of the city, which are of a general nature, published, within one year after the passage of this act, and a like digest within every period of five years thereafter. Publication of a digest of the ordinances.

§ 27. The fees for publishing ordinances, notices and other matters, required by this act or any ordinance under it, shall not exceed ninety (90) cents per folio, for the first, nor sixty (60) cents for each subsequent publication. Compensation.

§ 28. At least four (4) weeks before the annual election, the city clerk shall publish, in the newspaper publishing the ordinances of the city, an election notice, which shall state the time and place of and the officers to be elected at such election; and the like notice shall be given of all special elections. Provide for holding election

§ 29. Nothing in this act shall be so construed as to deprive the city council of any powers or authority conferred upon the same by the act incorporating said city, and the various acts amendatory thereto, but the city council shall possess and enjoy all the powers and authority heretofore conferred upon the same, except so far as such powers are expressly modified or repealed by this act or the acts heretofore mentioned. Construction of act.

§ 30. The city magistrate (who shall be elected quadrennially, and hold his office until the election and qualification of his successor,) shall have original and exclusive jurisdiction in all suits under this charter, or any ordinance passed in accordance therewith: *Provided*, that changes of venue shall not be allowed in cases arising under the charter and ordinances. Quadrennial election.

§ 31. All ordinances or resolutions passed or adopted by the city council of said city and now in force, and not inconsistent with the provisions of this act, shall continue in force until altered or repealed by ordinance or resolution; and nothing in this act shall be so construed as to discontinue in office any of the officers of said city until the expiration of their respective terms of office, and until the election and qualification of their successors. Old ordinances valid.

§ 32. This act shall be deemed a public act, and may be read in evidence without proof, and judicial notice shall be taken thereof in all courts and places; and shall effect from Evidence of act.

and after its passage, there being sufficient emergency in the judgment of the legislature to dispense with the lapse of sixty days before this act goes into effect.

Conflicting
acts repealed.

§ 33. Any acts or part of acts, inconsistent with the provision of this act, are hereby repealed.

APPROVED February 27, 1869.

In force March
30, 1869.

AN ACT to repeal section three, of article 3d, entitled "Elections," of the charter of Litchfield.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section three (3), of article third (3d) of the original charter of the city of Litchfield, in the county of Montgomery, and state of Illinois, entitled "Elections," be and the same is hereby repealed.*

When act to
take effect.

This act to be in full force and effect from and after its passage and approval.

APPROVED March 30, 1869.

In force March
24, 1869.

AN ACT to amend the city charter of the city of Macomb.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That when any person owning lands or town lots in the city of Macomb, in this state, shall fail to pay the taxes or assessments, general or special, levied or assessed thereon under the charter of said city and the amendments thereto, or under the ordinances of said city, it shall be the duty of the collector of said city to publish an advertisement in some newspaper published in said city, if any such there be; and if there be no such newspaper printed in said city, then in the nearest newspaper printed in this state; which advertisement shall be once published at least four weeks previous to the term of the county court of McDonough county, at which judgment is prayed. And such advertisement shall contain a list of delinquent lands upon which the taxes and assessments remain due and unpaid, the names of the owners, if known, the amount due thereon and years for which the same are due, and the purpose for which the same were assessed, and he shall give notice that will apply to the county court of McDonough county at the ———— term thereof (giving the term), for judgment against said lands and town lots for said taxes, assessments, interest and costs,*

Non-payment
of taxes.

Notice by pub-
lication.

and for an order to sell said lands and town lots for the satisfaction thereof, and shall also give notice that on the first Monday next succeeding the day of obtaining such judgment and order for sale, all the lands or town lots for sale of which an order shall be made, will be exposed to public sale at the place of holding court in said county, for the amount of such taxes, assessments, interest and costs due thereon. And the advertisement published according to the provisions of this section shall be deemed and taken to be sufficient and legal notice, both of the intended application of the collector to the county court for judgment, and also for the sale of the lands and town lots under the order of said county court: *Provided*, that if the publisher of such paper shall be unable or unwilling to publish said list and notice accurately and properly, the collector shall select some other newspaper, having due regard to the circulation of such paper.

§ 2. All suits or applications for judgment and order of sale for taxes or assessments on delinquent lands and town lots shall be made at regular terms of the county court, and shall be placed upon the docket of said court in the following form, to-wit:

Judgments for taxes.

City of Macomb *vs.* John Doe, and others.

And the sale shall be made at the time specified in the notice, whether the court remain in session or not. If, for any cause, the court shall not be holden at the term at which judgment is prayed, the cause shall stand continued, and it shall not be necessary to re-advertise the list or notice required by law to be advertised before judgment and sale, but at the next regular term thereafter the court shall hear and determine the matter; and if judgment is rendered, the sale shall be made at the same time and in like manner as it would have been made if the suit had been commenced at that term.

Manner of sale.

§ 3. The collector shall obtain a copy of said advertisement or advertisements, together with a certificate of due publication thereof, from the printer or publisher of the newspaper in which the same was published, and shall file the same with the clerk of said court at the said term.

Certificate of printer.

§ 4. The collector shall file the list of delinquent lands and town lots, which shall contain all the information necessary to be recorded, with the clerk of the county court at least five days before the commencement of the term at which application for judgment is to be made; and said clerk shall receive and record the same in a book to be kept for that purpose. The clerk of the county court shall, before the day of sale, make a correct record of the lands and town lots against which judgment is rendered in any suit for taxes or assessments due thereon, and shall set forth the name of the owner, if known, the description of the property, and the amount due on each tract or lot, in the same

Collector to file delinquent list.

Redemption of
land.

order as said property may be set forth in the judgment book, and shall attach thereto a correct copy of the order of the court and his certificate of the truth of such record; which record, so attested, shall hereafter constitute the process on which all real property shall be sold for taxes and assessments, as well as the sales of such property. When any tract of land or town lot shall be sold, it shall be the duty of the clerk to enter on the record aforesaid the quantity sold and the name of the purchaser opposite such tract or lot, in the blank columns provided for that purpose; and when any such property shall be redeemed from sale, the clerk shall enter the name of the person redeeming, the date, and amount of redemption in the proper columns. Said book shall be so ruled that there shall be suitable blank columns for entering the quantity or portion of each tract or lot that may be sold, the name of the purchaser, and such other columns as may be necessary; and the collector's return on such precept shall be *prima facie* evidence of the facts therein stated.

Report of collector made under oath.

§ 5. On the first day of the term at which judgment on delinquent lands and town lots is prayed, it shall be the duty of the collector to report to the clerk a list of all the lands or town lots, as the case may be, upon which taxes and assessments have been paid, if any, from the filing of the list mentioned in the foregoing section up to that time, and the clerk shall note the fact opposite each tract upon which taxes or assessments have been paid. The collector, assisted by the clerk, shall compare and correct said list, and shall make and subscribe an affidavit, which shall be, as near as may be, in the following form: "I, ———, collector of the city of Macomb, do solemnly swear (or affirm, as the case may be) that the foregoing is a true and correct record of the delinquent lands and town lots within the city of Macomb, upon which I have been unable to collect the taxes and assessments, as required by law, for the year or years therein set forth; that said taxes and assessments now remain due and unpaid, as I verily believe." Said affidavit shall be entered on the record at the bottom of the list, and signed by the collector. The oath may be administered by the judge, clerk or any justice of the peace, who shall attest the same.

Affidavit.

Duty of court.

§ 6. The court shall examine said list, and if defense or objection be offered by any person interested in any of said lands or lots to the entry of judgment against the same, the court shall hear and determine the matter in a summary manner, without pleadings, and shall pronounce judgment as the right of the case may be, and shall direct the clerk to make out and enter an order for the sale of such real property, which shall be substantially in the following form: "Whereas, due notice has been given of the intended application for a judgment against said lands and

town lots, and no owner hath appeared to make defense or show cause why judgment should not be entered against the said lands and town lots for taxes, assessments, interest and costs due and unpaid thereon, for the year or years herein set forth; therefore, it is considered by the court that judgment be and is hereby entered against the aforesaid tract or tracts of land, or parts of tracts (as the case may be), in favor of the city of Macomb, for the sum annexed to each tract or parcel of land or town lot, being the amount of taxes, assessments, interest and costs due severally thereon; and it is ordered by the court that said several tracts of land and town lots, or so much thereof as shall be sufficient of each of them, to satisfy the amount of taxes, assessments, interest and costs, annexed to them, severally, be sold as the law directs.”

Judgment.

§ 7. Said order shall be signed by the judge, and shall have the same effect as judgments and orders made by the circuit court. Persons aggrieved by any decision of the county court in such cases shall have the right to appeal to the circuit court, by giving bond and security, payable to the city of Macomb, as required in cases of appeals.

Appeals may be taken.

§ 8. The city collector of said city shall sell the lands and town lots under such precept, and for such purpose may continue such sales from day to day until completed. The sale shall be made for the smallest portion of ground, to be taken from the east side of the premises, for which any person will take the same and pay the taxes or assessments thereon, with interest and costs of sale; and shall execute certificates of purchase to the purchasers therefor. All applications for such judgment shall be made at the April term of said court, unless otherwise specially ordered by the city council of said city—the said city council being hereby authorized to order such application to be made at any term of said court they may see proper. And all moneys received on any such sales shall be paid over to the treasurer of said city within ten days from such sale.

Collector's duty.

Certificates of purchase.

§ 9. The right of redemption in all cases for [from] sales for taxes or assessments shall exist to the owner, his heirs, creditors or assigns, to the same extent as is allowed by law in cases of sales of real estate for taxes, on the payment, in specie, of double the amount for which the same was sold, and all taxes accruing subsequent to the sale, with interest. If the real estate of any infant, *femme covert* or lunatic be sold under this act, the same may be redeemed at any time within one year after such disability is removed. If not redeemed according to law, a deed may be executed to the purchaser, under the corporate seal, signed by the mayor or presiding officer of the city council, and countersigned by the clerk, conveying to such purchaser the premises so sold and unredeemed as aforesaid. An abstract of all deeds so made and delivered shall be entered

Right of redemption of the lands sold for taxes.

Abstracts

by the county clerk in the book wherein tax sales are recorded. A fee of two dollars may be charged by the city clerk for any deed so issued. In case of redemption, the money shall be paid to the county clerk, and he shall issue a certificate of redemption therefor, and pay such redemption money to the holder of such certificate of purchase. Like fees shall be allowed for publishing lists of delinquent lands and town lots and for the services of the county clerk and the city collector, for the duties performed by them under the provisions of this act, as are allowed the officers performing like duties in making sales of lands and town lots for state and county purposes. Such costs shall be charged up against each tract of land, town lot or part of town lot, in the same manner as is required by law in making sales for state and county purposes. Such fees to be paid out of the money in the city treasury.

Sections of act
repealed.

Section twelve
amended.

§ 10. Sections 8, 9, 10, 11, and the words "by order of the city council," in section 14 of article 9, of an act entitled "An act to consolidate the several acts under which the city of Macomb was incorporated, and to amend the same," approved February 14th, 1857, are hereby repealed; and section 12 of article 13, of the same act, is hereby amended so as to read as follows: "Every ordinance, regulation and by-law, imposing any penalty, fine, imprisonment or forfeiture for a violation of its provisions, shall, after the passage thereof, be published once in the newspaper publishing the ordinances of the city, and shall be in full force and take effect in three days after such publication; and proof of such publication, by the affidavit of the printer or publisher of such newspaper, taken before any officer authorized to administer oaths, and filed with the clerk, or any other competent proof of such publication, shall be conclusive evidence of the legal publication and promulgation of such ordinance, regulation or by-law, in all courts and places.

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

APPROVED March 24, 1869.

In force June
19, 1869.

AN ACT to amend the charter of the city of Macomb.

Change officers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter the offices of city assessor and collector, as established by section first of article two of the charter of said city, shall not be held by the same person; but said offices shall be separate and distinct.

§ 2. That the duties heretofore performed by the city assessor and collector shall hereafter be severally discharged by the officers holding the offices herein created, agreeably to the appropriate powers conferred by existing laws and ordinances on the present city assessor and collector, in all respects; and their compensation, and their several liabilities, shall be the same as heretofore have attached to the said city assessor and collector, in the discharge of their several duties. Compensation

§ 3. That section third (3d) of an act entitled "An act to authorize the city of Macomb to elect supervisors and other officers," approved February 23d, 1867, be amended by adding thereto the following proviso, to wit: "*Provided, however,* that this section shall not be construed to allow the said assessor compensation for more additional days than the additional labor of this assessment will necessarily add to the time of assessment." Act amended.

APPROVED March 30, 1869.

AN ACT supplementary to an act incorporating the city of Mason City, in Mason county, state of Illinois. In force April 19, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the provisions of an act entitled "An act to incorporate the city of Mason City," approved March 4th, 1869, be and the same are hereby so amended and altered, that the first regular election for the officers of said city, therein provided for, may be held upon the (3rd) third Monday in June, A.D. 1869. That legal notice of said election shall first be given, and all the proceedings in regard to the same shall be conducted as required by said act and the laws of this state in similar cases: *Provided, however,* that the next regular annual election thereafter shall be held on the first Monday in April, 1870, and in every year thereafter, in accordance with the provisions of the act above named. Provisions of act amended.

§ 2. That the city council of the city of Mason City shall have power to restrain or prohibit the selling or giving away of spirituous or malt liquors within the limits of said city. Prohibit sale of liquors.

§ 3. That the city marshal and his deputies are hereby authorized to execute all process of law, legally directed to them by the city judge of said city, anywhere within the limits of said Mason county: *Provided, however,* that said city judge shall not have jurisdiction over sums exceeding \$100, where the cause of action arises outside the limits of Mason City. City marshal's duties.

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

APPROVED April 19, 1869.

In force March 31, 1869. AN ACT to amend an act entitled "An act to charter the city of Mattoon."

Section amended.

13

Police magistrate commissioned by governor.

Jurisdiction.

Change venue.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section thirteen of article fourth of an act entitled "An act to charter the city of Mattoon," approved February 6th, A.D. 1867, be and the same is hereby amended so as to read as follows: The city police magistrate shall be commissioned by the governor of the state of Illinois as a justice of the peace, and, as such, shall give bond, and take and subscribe the same oath of office as is now or may hereafter be required of justices of the peace by the laws of the state of Illinois. He shall possess the same powers, be liable to the same penalties, and entitled to the same fees and compensation, as other justices of the peace. He shall have original jurisdiction of all offenses made punishable by any ordinance or resolution of the city of Mattoon, and concurrent jurisdiction, power and authority, in all cases whatsoever, with other justices of the peace under the laws of this state: *Provided*, that, upon oath being made by any defendant or defendants, that said police magistrate is so prejudiced against such defendant or defendants that he or they cannot have a fair and impartial trial before said police magistrate, a change of venue shall be granted in all cases to the nearest justice of the peace in said city, who is hereby invested, in all such cases, with all the authority of said magistrate, and who shall at once proceed to try the same: *And, provided, also*, that appeals shall be allowed in all cases to the circuit court of Coles county, in the same manner as is provided by law regulating appeals from justices of the peace.

§ 2. This act shall be a public act, and take effect from and after its passage; and all acts heretofore passed in conflict herewith is [are] hereby repealed.

APPROVED March 31, 1869.

AN ACT to amend the charter of the city of Mendota.

In force April
15, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That,* in addition to all the territory now contained within the limits of the city of Mendota, there shall be added to said city, and embraced within its limits and subject to its ordinances and jurisdiction, all the additional territory embraced within the following boundary, viz: The west half ($\frac{1}{2}$) of section thirty-four, (34,) township thirty-six (36) north, range one, (1,) and the north forty (40) acres of the north-east quarter, ($\frac{1}{4}$), and the north forty (40) acres of the north-west quarter, ($\frac{1}{4}$), of section four, (4,) in township thirty-five (35) north, range one (1) east, third (3rd) principal meridian, all in the county of LaSalle.

Additions to
the city.

§ 2. Section two (2) of article two (2) of the charter of the city of Mendota be so amended that the annual charter election of the city of Mendota of all officers of said corporation required to be elected by the charter of said city, or any ordinance thereof, shall be held on the second Tuesday of April in each year; and upon that day a mayor shall be elected by the qualified voters of the city. There shall also be elected at the same time, in each ward, by the qualified voters thereof, one alderman to represent said ward in the city council. All officers elected or appointed under said charter, except aldermen, shall hold their office for one year, or until the election or appointment of their successors, respectively. All other officers mentioned in said charter, and whose election is not herein specially provided for, shall be appointed by the city council, by ballot, on the third Monday of April in each year, or as soon thereafter as may be. But the city council may specially authorize the appointment of watchmen and policemen by the mayor, to continue in office during the pleasure of the city council, and subject to removal by the mayor for good cause. All other officers elected or appointed to fill vacancies shall hold for the unexpired term only, and until the election or appointment and qualification of their successors.

Election of
city officers.

§ 3. In all suits, actions and prosecutions for the recovery of any fine, penalty or forfeiture incurred under the charter or ordinances of the city, process may be issued, returnable instant; and such process shall state, substantially, the offenses charged, and the title of the ordinance, and the section or sections or clause of the charter or ordinance, under which the same is claimed. Such process may be issued upon the information of the mayor, the marshal, or any police officer, in his official capacity, and upon information, upon oath, by any other person.

Suits instituted.

Jurisdiction of
police magis-
trates.

§ 4. The police magistrate, or any justice of the peace, shall, upon information of any violation of any penal clause of the city charter, or of any penal ordinance of the city, issue a warrant, directed to the city marshal, or any police constable, or any other officer authorized to execute the same, commanding him forthwith [to] apprehend the offender, and bring him before him, or any other competent court; and if, upon the trial, it shall appear satisfactory to the court and jury, after hearing the evidence and proof adduced in the case, that the accused has been guilty of the violation and offense complained of, such fine, penalty, forfeiture or imprisonment may be imposed and adjudged against the offender as may be prescribed by the charter or ordinance. No process shall be necessary when the offender is arrested without warrant, and brought before the court; but an entry of the cause, time and place of arrest shall be made upon the docket of the court, and trial had in the same manner as if process had been issued.

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

APPROVED April 15, 1869.

In force March
29, 1869.

AN ACT to amend the charter of the city of Morris.

Act amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That chapter four (4) of said charter be amended by adding thereto the following: The common council shall have power, by ordinance, to cause any and all streets, gutters, alleys, sidewalks and crosswalks to be graded, paved or planked, and constructed, and be kept in repair; and may assess, or cause the costs of the same to be assessed, upon such persons or property as are benefited thereby, and may compel the payment of the same in any manner not inconsistent with the constitution of this state.

Sewerage.

§ 2. To cause any part of the city to be drained, and all obstructions which have been, or may be placed in any drain, ditch, channel, sewer or water course, to be removed, and any drain, ditch, channel, sewer or water course to be opened and kept open; and to compel the payment of all the costs and expenses of the same, either by assessment upon the property, or by fine or imprisonment, or both, upon the person or persons who either placed, ordered or caused such obstruction to be placed therein, or upon the owner or occupant of the premises, in the same manner as is provided for the removal of nuisances, in section eleven (11) of chapter seven (7), or otherwise, and without ordi-

nance, to appoint and give full power to any person, to remove such obstructions and open any drain, ditch, sewer, channel or water course, and to go upon or into any premises for that purpose; and any person who shall resist, oppose or interfere with such appointee, or being the owner or occupant of the premises, shall neglect or otherwise refuse to keep open and free from obstructions any drain, ditch, sewer, channel or water course, shall be fined in any sum, not less than twenty nor more than five hundred dollars, for each offense.

§ 3. To regulate, by ordinance, the assessment and collection of all taxes and assessments, so that the same may be assessed and collected by the same officers, and at the same time as the state and county taxes now are assessed and collected; and all taxes so assessed and collected shall be as valid a lien upon property, and all provision for the collection and the sales of property for the non-payment of said taxes, shall be as valid and binding as the collection and sales of property for state and county taxes now are. Levy and collection of taxes.

§ 4. To compel persons upon whom any fine, forfeiture or penalty is imposed, to labor on the streets, alleys or elsewhere in the city, for such time and in such manner as may be provided by ordinance. Labor on the streets and alleys.

§ 5. To declare that it shall be unlawful for any hall, theatre, opera house, church, school house, or building of any kind whatsoever, to be used for the assemblage of people, unless the same is provided with ample means for the safe and speedy egress of the persons therein assembled, in case of alarm. Egress for the people from all buildings.

§ 6. All laws or parts of laws, conflicting or inconsistent with these amendments, are hereby repealed. Conflicting acts repealed.

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

APPROVED March 29, 1869.

AN ACT to amend "An act to incorporate the city of Murphysboro," approved March 5, 1867. In for March 27, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That no part of said act, to which this is an amendment, shall be so construed as to include the inhabitants or territory in the east and south side of Big Muddy river, as included in or forming any part of said city of Murphysboro. Construction of act.

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

APPROVED March 27, 1869.

In force April 1, 1869. AN ACT to amend the charter of the city of Nauvoo, and to reduce the several acts relating thereto, into one act.

ARTICLE I.

OF THE BOUNDARIES.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Corporate powers. Name and style. in the state of Illinois, be, and the same are hereby declared a body politic and corporate, by the name and style of "The City of Nauvoo;" and, by that name, shall have perpetual succession, and by that name may sue and be sued, contract and be contracted with; may acquire, purchase, lease, receive and hold real estate, personal and mixed estate; may sell, bargain, convey, lease or otherwise dispose of the same; may have and use a common seal, which they may alter at pleasure.

Boundaries. § 2. The boundaries of said city shall include within their limits all within the following boundaries: Commencing at the low water mark on the bank of the Mississippi river, at the southwestern upper corner of section one (1), in township number six north, of range nine (9) west, of the fourth principal meridian, in Illinois, and from thence running east, on the south line of section one (1), in township number six north, of range nine (9) west, of the fourth principal meridian, in Illinois, to the southeast corner of Kimball's addition to Nauvoo, and thence running east to the southeast corner of Barnett's addition to Nauvoo; thence north to the northeast corner of said Barnett's addition to Nauvoo; thence north to the township line of township number seven (7) north, of range number eight (8) west, of the fourth principal meridian, in Illinois; thence west to the southeast corner of the southeast quarter of section thirty-six (36), in township number seven (7) north, of range number nine (9) west, of the fourth principal meridian, in Illinois; thence running north on the east line of said quarter section to the northeast corner thereof; thence west on the north line of the southeast and southwest quarters of said section thirty-six (36), in said township number seven (7) north, of range nine (9) west, of the fourth principal meridian, in Illinois, to the northwest corner of the southeast quarter of section thirty-six (36), in said township number seven (7) north, of range number nine (9) west, of the fourth principal meridian, in Illinois; thence north on the west line of the northwest quarter of said section thirty-six (36), in said township number seven (7) north, of range number nine (9) west, of the fourth principal meridian, in Illinois, to the centre of the main or principal channel of the Mississippi river; thence down the centre of the main

or principal channel of the Mississippi river, to a point due south of the place of beginning, and from thence north, to the place of beginning.

§ 3. That all the territory contained within the boundaries specified in the preceding section, are hereby included, and constitute a part of the city of Nauvoo, whether the same be land or water; and hereafter it shall be obligatory on all city officers and citizens to regard said lines as the boundaries of said city of Nauvoo, as established. Limit boundaries.

ARTICLE II.

OF THE CITY COUNCIL.

SECTION 1. There shall be a city council, to consist of a City council. mayor and board of aldermen.

§ 2. The board of aldermen shall consist of two members from each ward, to be chosen by the qualified voters, for two years. Aldermen.

§ 3. No person shall be an alderman unless at the time of his election he shall have resided one year within the limits of the city, and shall be, at the time of his election, twenty-one years of age, and a citizen of the United States, and be a freeholder in said city. Qualification of aldermen.

§ 4. If any alderman shall, after his election, remove from the ward for which he was elected, or cease to be a freeholder in said city, his office shall thereby be vacated. Removal from the ward.

§ 5. The present aldermen of said city, elected at the last general election in said city, for two years, shall hold their office until the expiration of the term for which they were elected. And the offices of the other aldermen shall be filled at the next general election held for city officers in said city. Term of office.

§ 6. The city council shall judge of the qualifications, election and returns of the elections of their own members, and shall determine all contested elections. Contested elections.

§ 7. A majority of the city council shall constitute a quorum to do business, but a smaller number may adjourn from day to day and compel the attendance of absent members, under such penalties as may be prescribed by ordinance. Quorum.

§ 8. The city council shall have power to determine the rules of its proceedings, punish its members for disorderly conduct, and with the concurrence of two-thirds of the members elected, expel a member. Rules of proceedings.

§ 9. The city council shall keep a journal of its proceedings, and the yeas and nays, when demanded by any member present, shall be entered on the journal. Journal of proceedings.

§ 10. All vacancies in the board of aldermen shall be filled by election; and no alderman shall, under the authority of the city, or the emoluments of which shall

have been increased during the time for which he shall have been elected.

Oath of office.

§ 11. The mayor and each alderman, before entering upon the discharge of the duties of their office, shall take and subscribe an oath that he will support the constitution of the United States and of this state, and that he will well and truly perform the duties of his office to the best of his skill and abilities.

The vote, how determined.

§ 12. Whenever there shall be a tie in the election of any officer of said city, the city council shall determine the same, by lot, in such manner as shall be provided by ordinance.

Office declared vacant.

§ 13. Whenever any officer elected in said city, shall fail to qualify as herein provided, and as provided for by ordinance, within twenty days after he shall have been notified of his election, his office shall be thereby vacated.

Duties of clerk.

§ 14. The clerk of said city shall keep all the books and papers belonging to said city; shall attend all meetings of the city council, and shall keep a full record of their proceedings upon the journal; and copies of all papers, duly filed in his office, transcripts of the journal of the proceedings of the city council, and all ordinances, duly certified by him, under the corporate seal, shall be evidence in all courts, in like manner as if the originals were produced. He shall draw all warrants upon the treasury, and countersign the same, and keep an accurate account thereof in a book to be provided for that purpose. He shall have power to administer oaths and affirmations, and shall have power to take the acknowledgments of all deeds of conveyance executed by the city or any officer of said city, and certify the same under his hand and the seal of the city.

Marshal.

§ 15. The marshal appointed by the city council shall give bond, with good and sufficient security, to the city council of the city of Nauvoo, in the penal sum of five hundred dollars, for the use of all persons interested, and conditioned for the faithful discharge of the duties of his office, and for the payment of all moneys collected by him to the person or persons entitled to receive the same. He shall take the same oath now required to be taken by the marshal of the city of Nauvoo, and shall have full power to execute all process, in any part of the county of Hancock, and shall be subject to all the liabilities of constables.

Compensation.

§ 16. The officers of the city shall receive such fees, salary or other compensation as the city council may provide by ordinance, and shall be exempt from serving on juries, and from road and street labor.

ARTICLE III.

OF THE CHIEF EXECUTIVE OFFICER.

SECTION 1. The chief executive officer of the city shall be a mayor, who shall be elected by the qualified voters of the city, and shall hold his office for one year, and until his successor shall be elected and qualified. Mayor.

§ 2. No person shall be eligible to the office of mayor who shall not have been a resident of the city for one year next preceding his election, or who shall be under the age of twenty-one years, or who shall not, at the time of his election, be a citizen of the United States, and be a freeholder in said city. Qualifications for mayor.

§ 3. If any mayor shall, during the time for which he shall have been elected, remove from the city, or shall cease to be a freeholder in said city, his office shall be thereby vacated. Vacancy.

§ 4. When two or more persons shall have an equal number of votes for mayor, the judges of election shall certify the same to the city council, who shall proceed to determine the same by lot, in such manner as shall be provided by ordinance. Tie, how decided.

§ 5. Whenever an election of mayor shall be contested, the city council shall determine the same in such manner as may be prescribed by ordinance, and shall have power to provide by ordinance for the taxing the costs, arising from such contest, to the unsuccessful party. Contested election.

ARTICLE IV.

OF ELECTIONS.

SECTION 1. On the the third Monday in the month of April, A. D. 1869, an election shall be held in each ward of said city of Nauvoo, for one mayor for said city, and one alderman for each ward in said city; and forever thereafter, on the third Monday in April of each year, there shall be an election held, for one mayor for the city of Nauvoo, and one alderman for each ward of said city, and for such other officers as are made elective by ordinance of said city. Time and manner of election.

§ 2. On the third Monday in the month of April, in the year A. D. 1870, and every four years thereafter, on the third Monday in the month of April, there shall be elected one police magistrate for the said city of Nauvoo. Said police magistrates shall be elected by the legal voters of said city of Nauvoo, and shall hold their office for four years and until their successors shall be duly elected and qualified: *Provided*, that the present police magistrate of the city of Nauvoo shall hold his office until his successor shall have been duly elected and qualified under this act. Election of officers.

§ 3. The police magistrates of said city of Nauvoo shall be governed by the provisions of an act entitled "An act Duties of police magistrate.

for the better government of towns and cities, and to amend the charters thereof," passed by the general assembly of the state of Illinois, and approved February 27, 1854, and shall have such other jurisdiction as provided for in this act.

Jurisdiction.

§ 4. The jurisdiction of the police magistrates of said city and the jurisdiction of the justices of the peace residing within the corporate limits of said city of Nauvoo, be and is hereby extended to the amount of three hundred dollars, in causes of action arising within said city, or where service is had upon the defendants within the city.

Vacancy filled
by election.

§ 5. All vacancies in the office of police magistrate shall be filled by election, and the person elected to fill the vacancy shall hold his office for the unexpired term, and until his successor shall be duly elected and qualified.

Judges and
clerks of elec-
tion.

§ 6. All elections in the city of Nauvoo for city officers, including the election for police magistrate, shall be held by one judge, assisted by one clerk in each ward of said city, who shall each take the oath that they will faithfully discharge the duties of their office according to law, and that they will studiously endeavor to prevent fraud, deceit and abuse in conducting the same. The city council shall appoint the judges and clerks; but in case no appointment is made, or those appointed shall decline, or fail to serve, or shall not be present at the time for opening of the polls, the electors present may select any of their number to act as judge or clerk, as the case may be.

Time of open-
ing polls.

§ 7. The polls shall be opened at eight o'clock in the morning, and shall be closed at six o'clock in the evening. The election shall be conducted according to the general election laws of the state of Illinois: *Provided*, that no law of the state of Illinois, requiring a registry of voters, shall apply to elections held under this act. After the polls are closed, the judge and clerk of each ward in said city shall canvass the ballots, and certify the result to the city council. And all the ballots, poll books, affidavits, and papers shall, within three days after the election, be filed in the office of the city clerk.

Qualifications
of electors.

§ 8. All free white male inhabitants, over the age of twenty-one years, who are entitled to vote for state officers, and who shall be actual residents of said city ninety days next preceding any election, shall be entitled to vote for city officers: *Provided*, that said voters shall vote in the wards in which they respectively reside, and in no other: *And, provided*, they shall have resided in the ward in which they offer to vote, at least ten days next preceding such election.

ARTICLE V.

THE CITY COUNCIL AND ITS LEGISLATIVE POWERS.

SECTION 1. The city council shall have power and authority, annually, to levy and collect taxes upon all property, real, personal and mixed, within the limits of the city, not exceeding ten mills per annum upon the assessed value of such property, and may enforce the payment of the same in any manner to be prescribed by ordinance, not repugnant to the constitution of the United States, and of this State; which said tax shall constitute the general fund, and may be used to defray the general and contingent expenses of the city, not herein otherwise provided for.

Levy and collect tax.

§ 2. To annually levy and collect taxes, on all property subject to taxation within said city, for state and county purposes, when necessary, for the erection of, and maintenance of, a city hall, market house, city prison, engine house, and for the maintenance of cemetery grounds, and for other public improvements: *Provided*, that no tax for such purposes shall be levied in any one year which shall exceed five mills on the dollar of the assessed valuation.

Tax for public buildings.

§ 3. To require and it is hereby made the duty of every male resident of the city, over the age of twenty-one years, and under the age of sixty years, to labor not less than three days nor more than five days in each year upon the streets, alleys and highways of the city; but any person may at his option pay in lieu of such labor, such sum of money as may be provided by ordinance, not exceeding the rate of two dollars per day: *Provided*, the same shall be paid within three days after notice by the street supervisor is given to perform such street labor. In default of payment, as aforesaid, and of the labor assessed, the sum of two dollars per day, and cost, shall be collected, and no set-off shall be allowed in any suit brought by the city to collect the same.

Inhabitants required to labor on streets and alleys.

§ 4. The city council may adopt the assessment of property for taxation, made by the township assessors of Nauvoo and Sonora townships, for state and county purposes. And in that event, they shall cause the city clerk to certify to the county clerk of Hancock county, Illinois, on or before the second Monday in August, in each and every year, the rate of taxes ordered to be levied and collected, together with a list of the persons in said city liable to pay city taxes on personal property, and the county clerk shall extend the corporation taxes upon the collector's books in the same manner as school taxes are extended, in accordance with the rate so certified to him; and it is hereby made the duty of the township collectors and the county collector to collect such taxes and enforce the payment thereof, at the same time, and in the same manner, as the

May adopt the state assessment

other taxes, and for that purpose, they shall each have the same powers and rights that they have to collect the other taxes; and the said collectors shall pay the same over to the treasurer of the city of Nauvoo, at the same time they are required to pay over the other taxes, and they shall receive the same compensation therefor as for the state taxes. And the proper court shall render judgment for the sale of any lot or other real estate for non-payment of the city taxes, the same as for the non-payment of the other taxes; and the judgment may be for the aggregate of all the taxes, including the state, county, town and other taxes, or for the aggregate of the city taxes, separately from the others, and no error in that respect shall invalidate any judgment or sale. The several collectors shall be liable on their official bonds for the faithful performance of their duties under this act.

Appointment
of officers.

§ 5. The city council shall have power to appoint a clerk, attorney, treasurer, marshal, supervisors of streets, and all such other officers as may be necessary.

Give bond and
security.

§ 6. The city council shall have power to require of all officers appointed in pursuance of this charter, or of the ordinances of said city, bonds with penalty and security for the faithful performance of their respective duties, as may be deemed expedient, and also to require of all officers appointed as aforesaid, to take an oath of office for the faithful performance of their respective duties before entering upon the discharge of the same. To establish, support and regulate common schools; to borrow money on the credit of the city: *Provided*, that no sum of money shall be borrowed at a greater interest than ten per cent. per annum, nor shall the interest on the aggregate of all sums borrowed and outstanding, ever exceed one-half of the city revenue arising from taxes assessed on real estate within the limits of the corporation.

Appropriations.

§ 7. To appropriate money and provide for the payment of the debts and expenses of the city.

To establish
hospitals.

§ 8. To establish hospitals and make regulations for the government of the same, and to make regulations to prevent the introduction of contagious diseases into the city; to make quarantine laws for that purpose and enforce the same within five miles of the city.

General health.

§ 9. To make regulations to secure the general health of the inhabitants of the city; to declare what shall be a nuisance, and to prevent and remove the same.

Wells, cisterns,
etc.

§ 10. To provide the city with water; to erect hydrants and pumps in the streets for the convenience of the inhabitants; to provide for lighting the streets and erecting lamp-posts.

Improvement
of streets, lanes
and alleys.

§ 11. To open, alter, abolish, extend, lay out, establish, grade, pave or otherwise improve and keep in repair, streets, avenues, lanes and alleys, and to prevent the obstruction thereof.

§ 12. To establish, erect and keep in repair, bridges, culverts, drains, sewers, sidewalks and crossings, and to regulate the construction of the same, and to establish, alter, change and straighten the channels of water-courses and natural drains; to sewer the same or wall them up and cover them over, and control the filling up, altering or changing the channels thereof by private persons.

Erect bridges.

§ 13. To divide the city into wards, alter the boundaries thereof, and create additional wards as the occasion may require.

Divide city into wards.

§ 14. To create, establish and regulate the police of the city. To prevent, suppress and punish riots, routs, unlawful assemblages, assaults, assaults and batteries, disturbances of religious or public meetings, breaches of the peace, fighting, challenging to fight, quarreling, threatening and all other disorderly conduct calculated to provoke a breach of the peace or create a disturbance, or which is against good morals or public decency, and to restrain and punish vagrants, mendicants and prostitutes.

Police, etc.

§ 15. To erect market houses, establish markets and market places, and provide for the government and regulation thereof; and to provide for the erection of all needful buildings for the use of the city, and to provide for inclosing, improving, ornamenting and regulating all public grounds belonging to the city.

Markets and market houses.

Needful buildings.

§ 16. To improve and preserve the navigation of the Mississippi river, within the limits of the city, and to erect, establish, repair and regulate public wharves and docks, and condemn private property therefor, and to regulate the erection and repairs of private wharves and to regulate the rates of wharfage thereat.

Erect wharves.

§ 17. To regulate, restrain and prohibit the running at large, within the limits of the city, of horses, mules, cattle, swine, dogs, sheep, and other animals, to authorize the distraining, impounding and sale of the same, when found running at large contrary to ordinance; and to authorize the destruction of dogs, when found running at large contrary to ordinance, and to impose penalties, fines and forfeitures upon the owners or keepers of such horses, mules, cattle, swine, dogs, sheep, and other animals.

Running at large of horses and cattle.

§ 18. To direct and control the laying out and construction of railroad tracks, crossings, bridges, turnouts and switches, within the city limits; to make necessary rules and regulations for keeping the same unobstructed; to regulate the speed that railroad engines and trains may run within the city limits, and to prevent the obstruction of streets, alleys and highways by the standing of cars upon the same; and to require railroad companies to keep their bridges, ditches and crossings, within the limits of the city, in such condition as shall not endanger the life or the health or convenience of any inhabitants of the city.

Railroad tracks and crossings.

Fines and penalties.

§ 19. The city council shall have power to impose fines, forfeitures and penalties for the breach of any ordinance, not exceeding one hundred dollars for any one offense, and to provide for the punishment of offenders by imprisonment in the city prison or in the common jail of Hancock county, not exceeding sixty days for any one offense, in addition to the fine, forfeiture or penalty; and they may provide, by ordinance, that any person against whom the city shall recover any fine or penalty or forfeiture for violation of any section of this act, or ordinance of the city, shall stand committed to the city prison or to the jail of Hancock county until the fine, forfeiture or penalty and costs are paid, or until the same are discharged by labor on the streets of the city, or otherwise discharged by order of the city council.

Auctioneers, peddlers, etc.

§ 20. To license, tax and regulate auctioneers, merchants, retailers, grocers, taverns, ordinaries, hawkers, peddlers, brokers, pawnbrokers and money changers; to license, tax and regulate hackney carriages, wagons, carts and drays, and fix the rates to be charged for the carriage of persons and the wagonage, carriage and drayage of property; and to license, tax and regulate porters, and fix the rate of portage.

Exhibitions.

§ 21. To license, tax and regulate theatrical performances, exhibitions, shows, and other amusements.

Bawdy houses.

§ 22. To tax, restrain, prohibit and suppress tippling houses, dram shops, gambling houses, bawdy houses, and other disorderly houses.

Extinguishment of fires.

§ 23. To provide for the prevention of and extinguishment of fires, and to organize and establish fire companies, and to regulate the building of wooden buildings in any part of the city. To regulate the building of chimneys and the flues thereof.

Combustibles.

§ 24. To regulate the storage of gunpowder, tar, pitch, rosin, kerosene or coal oil, and other combustible materials.

Walls, fences.

§ 25. To regulate and order parapet walls and partition fences, within the city; and to establish standard weights and measures, and to regulate the weights and measures to be used in the city, in all cases not otherwise provided for by law.

Inspection of lumber, etc.

§ 26. To provide for the inspection and measuring of lumber and other building materials, and for the measurement of all kinds of mechanical work.

Forage and fuel.

§ 27. To provide for the inspection and weighing of hay and stone-coal, the measuring of charcoal, firewood, and other fuel to be sold or used in the city.

Beef, pork and flour.

§ 28. To provide for and regulate the inspection of tobacco, and of beef, pork, flour, meal and whisky and wine, in barrels.

Butter, lard, etc.

§ 29. To regulate the inspection of butter, lard, and other provisions.

- § 30. To regulate the weight, quality and price of bread Price of bread.
to be sold and used and in the city.
- § 31. To regulate the size of bricks to be sold and used in Size of bricks.
the city.
- § 32. To provide for the taking of the enumeration of Enumeration of inhabitants.
the inhabitants of the city.
- § 33. To regulate the election of city officers, and to Election of city officers.
provide for removing from office any person holding an office created by ordinance.
- § 34. To fix the compensation of all city officers, and Compensation.
to regulate the fees of others, for services rendered under this act or any ordinance of the city.
- § 35. To regulate and establish night watches, and Night-watches.
provide for the recovery and appropriation of all fines, forfeitures and penalties for the breach of any ordinance of said city or of this charter, and to enforce the same in any manner not repugnant to the constitution of the United States, or of this state.
- § 36. The city council shall have exclusive jurisdiction, To regulate ferries.
by ordinance, and power to license, regulate and restrain the keeping of ferries, and to license, suppress and restrain billiard tables, Jenny Lind tables, and ten-pin alleys.
- § 37. The city council shall have power to make all ordinances which shall be necessary and proper for carrying Power to pass laws for government of the city
into effect the powers specified in this act, so that such ordinances be not repugnant to nor inconsistent with the constitution of the United States or of this State.
- § 38. The style of the ordinances of the city shall be, Style of ordinances.
“*Be it ordained by the City Council of the City of Nauvoo.*”
- § 39. The city council shall have power and authority When ordinances take effect.
to direct the time and the manner all ordinances of said city shall go into effect.
- § 40. All the officers of the city (aldermen included) Arrest, with or without process.
are hereby created conservators of the peace, and shall have power to arrest or cause to be arrested, with or without process, all persons who shall be guilty of disorderly conduct, or who shall break or threaten to break the peace, and, if necessary, detain such persons in custody, over night, in the city prison or other safe place; and shall have and exercise such other powers, as conservators of the peace, as the city council may prescribe by ordinance.
- § 41. All ordinances of the city of Nauvoo may be Evidence of validity of ordinances.
proven by a copy thereof, certified by the clerk, under his hand and the corporate seal of the city, and, when printed and published in book or pamphlet form, shall be evidence in all courts and places without further proof.
- § 42. It shall be the duty of the city council to have Publication of ordinances.
the ordinances of said city revised and published, in book or pamphlet form, as early as convenient; and until such revision and publication, the ordinances of the city of Nau-

voo shall be and remain in full force and effect as the ordinances of said city.

Further powers of council.

§ 43. The city council of the city of Nauvoo shall have and may exercise such other and further powers, by ordinance or otherwise, not inconsistent herewith, as the city council of the city of Quincy has, by law.

Taxation.

§ 44. The city council shall have power, by ordinance, to annually levy and collect, in the manner specified in section one of this article, a tax, not exceeding ten mills on the dollar on all property subject to taxation within the limits of the city, for the purpose of keeping in repair and maintaining the streets, lanes and alleys in said city.

ARTICLE VI.

OF THE MAYOR.

Mayor to preside at all meetings.

SECTION 1. The mayor shall preside at all meetings of the city council, and shall have the casting vote in case of a tie and in no other. In case of the non-attendance of the mayor at any meeting, the board of aldermen shall appoint one of their members as chairman, who shall preside at the meeting.

Special meetings.

§ 2. The mayor, or any two aldermen, may call special meetings of the city council.

Active and vigilant in enforcing laws.

§ 3. The mayor shall, at all times, be active and vigilant in enforcing the laws and ordinances for the government of the city. He shall inspect the conduct of all subordinate officers of said city, and cause negligence and positive violation of duty to be prosecuted and punished. He shall, from time to time, communicate to the aldermen such information and recommend all such measures as, in his opinion, may tend to the improvement of the finances, the police, the health, security, comfort and ornament of the city, and shall sign all orders drawn on the treasury.

Inhabitants to aid in enforcing laws.

§ 4. The mayor is hereby authorized to call on all male inhabitants of said city, over the age of eighteen years, to aid in enforcing the laws and ordinances of the said city, and quelling riots; and any person who shall not obey such call shall forfeit to the said city a fine not exceeding ten dollars.

Exhibit of books and papers.

§ 5. He shall have power, whenever he may deem it necessary, to require of any officer of the city an exhibit of his books and papers.

Execute all acts.

§ 6. He shall have power to execute all acts that may be required of him by any ordinance made in pursuance of this act.

General powers.

§ 7. He shall have power and authority to administer oaths, to take depositions, the acknowledgments of deeds, mortgages, and all other instruments of writing, and certify the same under the seal of the city, which shall be good and valid in law.

§ 8. He shall receive for his services such salary as shall be fixed by ordinance of the city. Mayor's salary.

§ 9. In case the mayor shall at any time be guilty of a palpable omission of duty, or shall willfully and corruptly be guilty of oppression, malconduct or partiality in the discharge of the duties of his office, he shall be liable to be indicted in the circuit court of Hancock county, and, on conviction, be fined not to exceed two hundred dollars; and the court shall have power, on the recommendation of the jury, to add to the judgment of the court, that he be removed from office. When mayor guilty of malconduct.

ARTICLE VII.

PROCEEDINGS IN SPECIAL CASES.

SECTION 1. Whenever it shall be necessary to take private property for opening, widening or altering any public street, lane, avenue or alley, the city shall make a just compensation therefor to the person whose property is so taken; and if the amount cannot be agreed upon, the mayor shall cause the same to be ascertained by a jury of six disinterested freeholders of the city. Condemnation of land.

§ 2. When the owners of all the property fronting on a street, lane, avenue or alley proposed to be opened, widened or altered, shall petition therefor, the city council may open, widen or alter such street, lane, avenue or alley upon conditions to be prescribed by ordinance; but no compensation shall in such cases be made to those whose property shall be taken for the opening, widening or altering such street, lane, avenue or alley, nor shall there be any assessment of benefits or damages that may accrue thereby to any of the petitioners. Opening streets and highways.

§ 3. All persons impannelled to inquire into the amount of benefits or damages which shall happen to the owners of property proposed to be taken for opening, widening or altering any street, lane, avenue or alley, shall first be sworn to duly assess the damages as well as the benefits arising from such opening, widening or altering such street, lane, avenue or alley, and shall return to the mayor their inquest, in writing, signed by each juror. Costs and expenses to be assessed.

§ 4. In ascertaining the amount of compensation for property taken for opening or widening or altering any street, lane, avenue or alley, the jury shall take into consideration the benefits as well as the injury happening by such opening, widening or altering such street, lane, avenue or alley. Benefits and damages.

§ 5. The mayor shall have power, for good cause shown, within ten days after any inquest shall have been returned to him as aforesaid, to set the same aside, and cause a new inquest to be made. New Inquest.

Special tax.

§ 6. The city council shall have power, by ordinance, to levy and collect a special tax on the lot or lots fronting on any street, lane, avenue or alley, or part of any street, lane, avenue or alley, according to their respective fronts owned by any person or persons, for the purpose of paving and grading the sidewalks, and lighting such streets, lanes, avenues or alleys. Said tax, so levied, shall be collected in the same manner as other city taxes are collected, or the city council may provide, by ordinance, any other mode to collect the same, not in conflict with this charter.

ARTICLE VIII.

MISCELLANEOUS PROVISIONS.

Exempt from
road labor.

SECTION 1. The inhabitants of the city of Nauvoo are hereby exempted from working on any road beyond the limits of the city, and from paying any tax to procure laborers to work upon the same.

Punishment of
offenders.

§ 2. The city council shall have power to provide, by ordinance, for the punishment of offenders, by imprisonment in the county jail or in the city prison, in all cases when such offenders shall fail or refuse to pay the fines, forfeitures or penalties which may be rendered against them.

Publication of
financial state-
ment.

§ 3. The city council shall cause to be published annually a full and complete statement of all moneys received and expended by the city during the preceding year, and on what account received and expended.

Right to take
stock in railroad

§ 4. The city council shall have power to subscribe to the capital stock of any railroad company to or from the city of Nauvoo, or which may pass through or near said city, on the same terms and conditions imposed upon counties, not, however, to exceed twenty-five thousand dollars to any one railroad company, nor more than fifty thousand dollars in all, and to pay the same by issuing and delivering the bonds of the city; and, in that event, shall have power to levy and collect taxes, as in other other cases, a sum sufficient to pay all the interest accruing on such bonds and to pay off the principal when due, or to provide a sinking fund for the payment of the same before due.

Change venue.

§ 5. In all cases arising under the ordinances of said city, changes of venue and appeals shall be allowed, as in other cases before justices of the peace.

Suits vested in
corporation.

§ 6. All actions, fines, penalties and forfeitures which have accrued to the city of Nauvoo shall be vested in and prosecuted and collected by the corporation hereby created.

Prior ordinan-
ces in force.

§ 7. This charter shall not invalidate any act done by the city of Nauvoo, nor divest the same of any right which may have accrued to the city prior to the passage of this act.

§ 8. In case of vacancy in the office of mayor, on account of death, resignation or removal from the city, or on any other account, the same shall be filled by election. Vacancy in office of mayor.

§ 9. This act shall be deemed a public act, and may be read in evidence without proof, and judicial notice shall be taken thereof in all courts and places; and shall take effect and be in full force from and after its passage. Evidence and proof of act. When this act shall take effect.

APPROVED April 1, 1869.

AN ACT to repeal the latter part of the fourth section of an act entitled In force June 19, 1869.
"An act to incorporate the city of Olney."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That so much of the fourth section of the seventh article of the act to incorporate the city of Olney, as confers on the police magistrates of said city jurisdiction in all civil cases, to any amount not exceeding five hundred dollars, be and the same is hereby repealed. Jurisdiction of police magistrate.

APPROVED March 2, 1869.

AN ACT to amend an act entitled "An act to incorporate the city of Oneida, in the county of Knox, and state of Illinois," approved March 4, 1862. In force March 31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section two (2) of article two (2) of said act be and the same is hereby amended so as to read as follows, to-wit: "The board of aldermen shall consist of eight members, to be chosen by the qualified voters of said city, as hereafter provided." Section 2, art. 2 amended.

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

APPROVED March 31, 1869.

AN ACT to amend an act entitled "[An act] to charter the city of Ottawa," approved February 10, 1853. In force March 31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That article five of an act entitled "An act to charter the city of Otta- Act amended.

wa," approved February 10, A. D. 1853, be amended by striking out section eleven of said article.

Boundaries of
wards.
First ward.

§ 2. The first ward of said city shall [be] bounded as follows: Commencing at the northeast corner of said city; thence south to Fox river; thence down said river to its intersection with Union street; thence north, along said street, to Superior street; thence west, along Superior street, to Columbus street; thence north, along Columbus street, to the Illinois and Michigan Canal; thence east, along said canal, to Post street; thence north, along Post street, to the north line of said city; thence east to the place of beginning.

Second ward.

§ 3. The second ward of said city shall include all of said city east of Fox river and north of the Illinois river.

Third ward.

§ 4. The third ward of said city shall be bounded as follows: Commencing at the point where Union street intersects with Fox river; thence north, along said street, to Superior street; thence west, along Superior street, to Columbus street; thence south, on Columbus street, to Washington street; thence west, along Washington street, to the side cut of the Illinois and Michigan Canal; thence south, along the line of said cut produced to the Illinois river; thence, up said Illinois river, to Fox river; thence, up Fox river, to the place of beginning.

Fourth ward.

§ 5. The fourth ward of said city shall include all of said city which lies east of the first ward, hereinbefore described, and north of the Illinois and Michigan Canal.

Fifth ward.

§ 6. The fifth ward of said city shall be bounded as follows: Commencing on the west line of said city, at its intersection with the Illinois and Michigan Canal; thence east, along said canal, to Columbus street; thence south, along Columbus street, to Washington street; thence west, along Washington street, to the side cut of the Illinois and Michigan Canal; thence south, along said side cut, to Jefferson street; thence west, along Jefferson street, to Sycamore street; thence south, along Sycamore street, to Madison street; thence west, along Madison street, to Bissell street; thence south, along Bissell street, to Main street; thence west, along Main street to the west line of said city; thence north to the place of beginning.

Sixth ward.

§ 7. The sixth ward of said city shall include all of said city which lies south of said fifth ward and west of the line of the side cut of the Illinois and Michigan Canal produced south to the Illinois river, and lying north of said Illinois river.

Seventh ward.

§ 8. The seventh ward of said city shall include all of said city lying south of the Illinois river.

Term of office.

§ 9. The present aldermen and directors of the board of education of said city shall continue to hold their offices until the next annual city election and no longer; and at the next annual city election, and annually thereafter, there

shall be elected, in each of the wards above provided for, one director of the board of education, who shall hold office for the term of one year. There shall also be elected in each of said wards two aldermen, one for the term of two years and one for the term of one year, and annually thereafter there shall be elected in each of said wards one alderman, who shall hold office two years. Said aldermen and directors of the board of education to be residents of the wards for which they are elected.

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

APPROVED March 31, 1869.

AN ACT to amend an act entitled "An act to incorporate the city of Pana," approved February 13th, A. D. 1867. In force Feb. 19 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section fourteen (14) of article ten (10), of an act of the general assembly of the state of Illinois, entitled "An act to incorporate the city of Pana," approved February 13th, 1869, A. D. 1867, be and the same is hereby repealed. Section re-
pealed.

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

APPROVED February 19, 1869.

AN ACT supplementary to an act entitled "An act to incorporate the city of Pekin, Illinois." In force March 31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the latter clause of section twenty-one (21) of said act, approved March 4th, 1869, providing for the election of three supervisors, for the city of Pekin, at the same time and in the same manner as elections for township supervisors in the county in which said city is situated, be and the same is hereby repealed. Part of section
21 repealed.

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

APPROVED March 31, 1869.

In force March
24, 1869.

AN ACT to erect and construct water works for the city of Pekin.

Construction of
water works.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the common council of the city of Pekin be and they are hereby authorized to erect and construct water works for the convenience and accommodation of the inhabitants of said city; to take any springs or water within two miles of the limits of said city, and to conduct the same, in iron, lead or other pipes or aqueducts, over any lands, lots, lanes, streets, avenues or alleys within or without the corporate limits of said city of Pekin, paying the owner or owners of such spring or springs, or waters, lands or lots over which such pipes or aqueducts may pass, a reasonable compensation therefor, out of the treasury of said city of Pekin.

Sell and lease
privileges.

§ 2. The said common council of the said city of Pekin shall have power to sell the water, or to sell or lease the privilege of using the same, to such person or persons and on such terms as they may deem most advisable and best for the interest of said city of Pekin, and appoint an agent or agents or other officers, whose duty it shall be to keep the same in repair, and oversee the same, and collect the revenues arising therefrom.

Property re-
quired for water
works, how ob-
tained.

§ 3. For the purpose of enabling the common council of the city of Pekin to construct said water works, they are hereby authorized and empowered to issue bonds, not to exceed the sum of one hundred thousand dollars, drawing interest not to exceed eight per cent. per annum, to be paid at the office of the treasurer of the city of Pekin, semi-annually. Said bonds may be issued in such sums and on such time, not exceeding twenty years, as the common council shall direct: *Provided*, that no such bonds shall be issued until first being submitted to the legal voters of said city of Pekin, and unless a majority of the legal voters, voting at said election, shall vote for the same. Said election shall be conducted and notice thereof given in the same manner as is provided in other elections in said city.

Taxation.

§ 4. That for the payment of said bonds, and as the principal and interest shall become due, the common council of the city shall levy an annual tax of one mill on every dollar's worth of taxable property in said city.

Assessor to an-
nually extend
tax list.

§ 5. Whenever any of said bonds shall be issued and delivered as herein provided, the city assessor shall annually extend on the assessor's and collector's books a tax of one mill on every dollar's worth of the assessed value of the taxable property in said city, which tax shall be extended and collected at the same time, and in the same manner, as the ordinary annual tax of said city of Pekin; and for the purpose of keeping the same separate and distinct from other revenues of the city, the city assessor, for the time be-

ing, shall extend the same in a separate column in said book, which shall be headed "one mill water tax," and when collected, the same shall be paid into the city treasury; and the city treasurer of said city is hereby required to keep a separate and distinct account of said tax, under the head of "one mill water tax fund."

§ 6. That the said common council shall have power to pass all ordinances that may be necessary and proper for the purposes of carrying into effect the provisions of this act, and to protect said works from injury, and to punish, by fine not exceeding one hundred dollars, any person who shall willfully and maliciously cause any injury thereto.

§ 7. That that this act shall take effect and be in force from and after its passage.

APPROVED March 24, 1869.

Powers of the council.

AN ACT to reduce the charter of the city of Peoria, and the several acts amendatory thereof, into one act, and revise the same. In force Feb. 20, 1869.

CHAPTER I.

CITY BOUNDARIES.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* The inhabitants of all the district of country in the county of Peoria and state of Illinois, contained within the limits and boundaries hereafter prescribed, shall be a body politic and corporate, under the name and style of the "City of Peoria," and, by that name, sue and be sued, complain and defend, in any court; make and use a common seal, and alter it at pleasure; and take and hold, purchase, lease and convey such real and personal or mixed estate as the purposes of the corporation may require, within or without the limits aforesaid.

Corporate powers, how vested.

Name and style.

§ 2. The corporate limits and jurisdiction of the city of Peoria shall embrace and include, within the same, all of fractional section two (2), all of fractional section three (3), the south half of section four (4), the northeast quarter of section four (4), the south half of the northwest quarter of section four (4), the southeast quarter of section five (5), the south half of the southwest quarter of section five (5), all of section eight (8), fractional section nine (9), fractional section ten (10), fractional section sixteen (16), fractional section seventeen (17), all in township eight (8) north, range eight (8) east, of the fourth principal meridian, and to the middle of Lake Peoria and Illinois river, as lies in front of the territory aforesaid.

Boundaries.

CHAPTER II.

OFFICERS—THEIR ELECTION AND APPOINTMENT.

- Mayor and board of aldermen. SECTION 1. The municipal government of the city shall consist of a city council, composed of the mayor and two aldermen from each ward. The other officers of the corporation shall be as follows: A clerk, a city attorney, a treasurer, a collector, one or more assessors, who shall be freeholders of said city, a city engineer and surveyor, one or more, not exceeding three, police magistrates, one chief and a first and second assistant engineer of the fire department, one harbor master, a sealer of weights and measures, and such other officers and agents as may be provided for by this act, or the city council may by ordinance direct.
- City officers. § 2. Each ward of said city shall constitute an election precinct, and the places for holding elections therein for city officers, shall be selected by the city council.
- Ward elections. § 3. The municipal election in said city shall be held on the first Tuesday after the first Monday in November of each year, at which time there shall be elected by the qualified voters of said city, all officers to be elected at the general municipal election. Ten days' previous notice of said election shall be given by the city clerk, by publication in one or more newspapers published in said city, and no special election shall be hereafter held in said city for the election of city officers, except as in this act provided.
- Annual election. § 4. The municipal officers to be chosen at the annual election, shall enter upon the duties of their respective offices on the first Tuesday of January succeeding their election.
- Officers. § 5. The mayor, treasurer and collector shall be elected by the people. The mayor shall hold his office for the term of two years, and the treasurer and collector for the term of one year, and all until their successors shall be elected and qualified. The persons having the highest number of votes cast in the whole city, for either of such offices, shall be declared elected.
- Term of office. § 6. At the annual municipal election, the electors in their respective wards shall vote for one alderman, and the person receiving the highest number of votes cast in the ward for said office, shall be declared elected.
- Election of aldermen. § 7. The several wards of the city shall be respectively represented in the city council by two aldermen, who shall be residents thereof, and who shall, except as herein otherwise provided, hold their offices, respectively, for two years from and after the first Tuesday in January next succeeding their election, or until the election and qualification of their successors. They shall be divided into two classes, each class consisting of one alderman from each ward,
- Representation of wards. Aldermen divided in classes,

so that one from each ward may be annually elected. The first class shall be elected at the annual municipal election in November next, and shall be successors to the aldermen of the present city council, who were elected on the first Tuesday in April, 1867. The second class shall be elected at the regular municipal election of 1870, and succeed those aldermen who are entitled to hold over until the first Tuesday in January, 1871. One year after the next municipal election, the aldermen of each class hereafter elected shall, respectively, continue in office two years. In all cases where, by the creation of a new ward, two aldermen are to be chosen therein at any annual municipal election, the term for which each is elected, whether for one or for two years, shall be stated on the ballots. If any alderman remove from the ward represented by him, or shall engage or continue in any service, business or employment causing a continued absence from the city for more than three months, his office shall thereby become vacant, and whenever any vacancy shall occur in the office of alderman, the city council shall, within ten days after the happening of such vacancy, order a new election: *Provided*, that more than four months of the term shall then remain unexpired.

Removal from ward, etc.

§ 8. Whenever there shall fail to be an election of any officer voted for by the people, in consequence of two or more candidates securing an equal number of votes for the same office, the election shall be determined by the casting of lots in the presence of the city council, and the result shall be entered upon the proceedings.

The vote, how decided.

§ 9. All other officers mentioned in this act, and not otherwise specially provided for, shall be appointed by the city council, on the first Tuesday in January, in each year, or as soon thereafter as may be, and shall, respectively, continue in office one year and until the appointment and qualification of their successors. Officers elected or appointed to fill vacancies, shall, respectively, hold for the unexpired term only, and until the election or appointment and qualification of their successors. No appointment shall be made by the city council to extend beyond the term of the council making it, nor shall any longer contract be made when such contract is for yearly service.

Appointment of officers.

§ 10. Every person appointed to any office by the city council, and every person elected to any office by the people, for whose removal from office no other provision has been specially provided by this act, may be removed from such office by a vote of two-thirds of all the aldermen authorized by law to be elected. But no officer shall be removed, except for cause, nor unless furnished with the charges, and heard in his defense. And the city council shall have power to compel the attendance of witnesses and the production of papers, when necessary for the purpose of such trial, and shall proceed within ten days to hear and

Removal from office.

determine upon the merits of the case, and to continue or adjourn the same, if necessary. And if such officer neglect to appear and answer to such charges, then the city council may declare the office vacant, and no appeal or writ of *certiorari* shall lie from said city council, and any officer may be suspended until the disposition of charges, when preferred.

Absence of the
the mayor.

§ 11. When any vacancy shall happen by death, resignation, removal or otherwise, in the office of mayor, such vacancy shall be filled by a new election, and the city council shall order a new election within ten days after the happening of such vacancy: *Provided*, more than six months of the term shall then remain unexpired. Any vacancy occasioned by the death, removal, resignation or refusal to serve, of any other city officer elected by the people or appointed by the city council, may be filled by appointment by the city council, except in cases where a different provision is herein specially made for filling such vacancy. The city council, with the like exception, may fill any vacancy occurring in any office to which, by this act, they have the power of election or appointment.

Official bonds.

§ 12. All city officers who are required by the provisions of this act, or by any ordinance passed by the city council, to give bonds for the faithful performance of their official duty, shall file their bonds with the city clerk. If such officers be appointed by the city council they shall file them within fifteen days after their appointment. When such officers are elected by the people, they shall file them before the first day of January succeeding the election. When approved the bonds shall be recorded by the clerk in a book to be kept for the purpose. When bonds are not filed with the city clerk within the time specified, the person so in default shall be deemed to have refused said office, and the same shall be filled by appointment, as in other cases. If in any case any official bond so filed shall not be approved, the officer filing the same shall furnish a new and satisfactory bond within ten days after such disapproval; and in case of failure so to do, he shall be deemed to have refused said office, and the same shall be filled as hereinbefore provided. No alderman or other city officer shall be taken upon any bond, note or other obligation made to the city. No city officer required to give bond, as aforesaid, shall enter upon the discharge of the duties of his office until such bond shall have been filed and approved as by this act provided.

New bond may
be required.

Qualification
of voters.

§ 13. All citizens of the United States or of the state of Illinois, qualified to vote at any election held under this act, shall be qualified to hold any office created by this act, except in cases where a different provision has been herein especially made; but no person shall be eligible to any office or place under this or any other act in relation to said

city, who is now or may hereafter be a defaulter to said city or the state of Illinois, or any county thereof; and any person shall be considered a defaulter who has refused or neglected, or may hereafter refuse or neglect, for thirty days after demand made, to account for and pay over to the party authorized to receive the same, any public money which may have come into his possession. And if any person holding any such office or place shall become a defaulter whilst in office, the office or place shall thereupon become vacant.

§ 14. The board of registry, now provided by law for the city and township of Peoria, shall assemble at the city hall on the fourth Tuesday preceding each city, township, or county and state election, and shall remain in session as many days (not exceeding three) as may be necessary to make, as far as possible, a full and complete registry of all the qualified voters of said city and township. They shall meet at nine o'clock in the morning and adjourn at six in the evening, taking a recess of one hour for dinner. They shall have authority to employ one or more, but not to exceed three, clerks, to assist them in the labors of making such registry, and also at their subsequent meetings, for the correction of the same. They shall copy from the registry lists of the last preceding general city, state or county election, the names of all persons voting at such election, excepting such as may have died or removed from the city or township. They shall place the names of the voters on the lists of the wards or election districts to which they respectively belong. They shall also add to the lists the names of such other persons as they may know to be qualified voters; but no name shall be added or removed except with the consent of all the members of the board present and acting: *Provided*, that any person or persons appearing before said board and furnishing the necessary proofs, as hereinafter provided, shall have his name placed on or taken from said list. Any registered voter of the city, if the registry be for a city election, and of the township, if it be for a township election, shall be entitled to appear before the board and object to the registry of any person; and if he shall support his objections by his oath that he knows such person will not be entitled to vote at the election for which the registry is being made, the board of registry shall place the name of such person on a separate list, to be entitled "The challenged list," and shall post said list, with a proper notice of its character, along with the registry lists; and before such names shall be transferred to the registry lists, the owners of them shall appear personally before the board, at the time they shall sit for the correction of the lists, and establish their right to be registered. Any person who shall willfully and maliciously so challenge the name of any qualified voter from the registry list with the inten-

Board to make complete registry of voters.

Board to correct
registry
lists.

tion of unjustly depriving him of his vote, shall be liable to prosecution, and be subject to all the penalties prescribed by law for willful and corrupt perjury. On the Tuesday, Wednesday and Saturday next preceding each election, the board of registry shall sit for the correction of the registry lists. They shall be in session from eight o'clock in the morning until nine o'clock in the evening, but may adjourn one hour each for dinner and supper. Any person claiming the right to vote at the election for which the registry is being made, may appear before said board, and if they shall be satisfied from his statements that he is entitled to vote, they shall place his name on the list of the ward or election district in which he is entitled to vote. If the right of such person to vote be challenged by either of the board, or by any registered voter in the city or township, he shall make such proof of that right as is now required of challenged persons offering their votes at the polls at state and county elections; except that any two registered voters in the city or township may be competent witnesses in his behalf. Whenever the right of any foreign born citizen, who has become a resident of this state since the first day of April, 1848, to vote is challenged, he shall produce in evidence of his citizenship his naturalization papers, or certified copies of the same; or if he became a citizen through the naturalization of his father, he shall establish that fact by his own oath or affirmation. That such persons shall not be put to unnecessary trouble, the city council shall provide for the board of registry a record book, in which they shall inscribe the names of all parties so producing their naturalization papers, the date of their naturalization, the names of the witnesses, and the nativity of the person naturalized. Said record, when the board of registry is not in session, shall be placed in charge of the city clerk, and shall be kept by him for the use of each succeeding board. Such record of naturalization so made shall be deemed sufficient evidence of the citizenship of the persons recorded therein in cases of all future challenge: *Provided*, nothing herein contained shall exempt any such persons from challenge on account of identity, or that the record has been fraudulently made. When the death of any person so recorded shall be established by the oath of two registered voters in the city or township, the board of registry shall cause to be written the word "dead," conspicuously against the name of such person. The penalty for altering, defacing or adding to such record, except by authority of the board, in the manner hereinbefore described, shall be the same as now provided by law for the alteration or forgery of public records. All persons shall be registered and deemed to reside in the ward in which they lodge. No person shall be registered for voting in any ward or election district unless he shall have, on election day, resided continuously for thirty days in said ward im-

mediately preceding such election: *Provided*, that no qualified voter removing from one ward or election district to another shall be deprived of his vote in the ward or election district from which he removes for thirty days after such removal. In all cases of registry in the city of Peoria, the board shall not only state the street in which the voter resides, but shall also state between what cross streets. Abbreviation may be used for this purpose, provided such abbreviations are explained in a note on the registry lists. In case the voter resides at a hotel or boarding house, the name of the hotel or boarding house, in addition to the street, shall be deemed a sufficient description. The number of the house, when there is one, shall be given. The board of registry shall be in session from one o'clock until two o'clock P. M., on each election day, for the purpose of correcting clerical errors in the registry lists; and it shall be the duty of the judges of election, in each district, to correct such clerical errors when certified to by the board. All provisions of law heretofore in force in the city and township of Peoria, not specifically stated herein, and not inconsistent herewith, shall remain in full force and effect.

Sessions of the
board of regis-
try.

§ 15. The mode of conducting elections for city officers, and the time of opening and closing the polls and voting thereat, shall be the same as now provided by law for the election of state and county officers. The city council shall provide by ordinance for making returns of such elections, for opening and declaring the result of the same, for notifying the officers elected, and for the investigation and decision of contested elections: *Provided*, that in all elections in the city and township of Peoria, the judges or inspectors of the same shall have the right to count the ballots and the number of votes given to each and every person voted for as speedily and correctly as possible, and declare the same without resort to tallying them one by one.

Mode of con-
ducting elec-
tions.

§ 16. All white male citizens of the United States and state of Illinois, above the age of twenty-one years, who shall have been a resident of the state year, the city six months and the ward thirty days, immediately preceding any election for city officers of the city of Peoria, shall be entitled to be registered and vote for such officers: *Provided*, that no person shall be entitled to vote at any such election unless he be registered.

Qualifications
of voters.

§ 17. The persons entitled to vote at any election held under this act, shall not be arrested on civil process within said city upon the day on which said election is held; and all persons illegally voting at any election under this act, shall be punished according to the laws of this state.

No arrests on
election day.

CHAPTER III.

POWERS AND DUTIES OF OFFICERS.

- Oath of office. SECTION 1. Every person chosen or appointed to an executive, judicial or administrative office under this act shall, before he enters upon the duties of his office, take the oath of office prescribed in the constitution of this state, and file the same, duly certified by the person before whom it was taken, with the city clerk.
- Mayor. § 2. The mayor shall preside over the meetings of the city council, and take care that the laws and ordinances of the city are duly enforced, respected and observed, and that the other officers of the city discharge their respective duties, and he shall cause negligence and positive violation of duty to be prosecuted and punished. He shall, from time to time, give the city council such information and recommend such measures as he may deem advantageous to the city. He shall receive such salary as the city council may prescribe, for all services devolved upon him by this or any subsequent act, or the ordinances of the city, as the city council may, by ordinance, prescribe. He shall likewise have power, *ex officio*, to acknowledge deeds, administer any oath authorized to be taken by the laws of this state.
- Salary of mayor. § 3. In case of a vacancy in the office of mayor, or his being unable to perform the duties of his office, by reason of absence or sickness, the city council shall appoint, by ballot, one of their number to preside over their meetings, whose official designation shall be "Acting Mayor;" and the alderman so appointed shall be vested with all the powers and perform all the duties of mayor, until the mayor shall resume his office, or the vacancy filled by a new election.
- Vacancies, how filled. § 4. The members of the city council shall be fire wardens and conservators of the peace, and shall be exempt from jury duty during their term of office.
- Conservators of the peace. § 5. The clerk shall keep the corporate seal, and make a record of the proceedings of the city council, at whose meetings it shall be his duty to attend; and copies of all papers duly filed in his office and transcripts from the records of the proceedings of the city council, and other matters of record in his office, certified by him under the corporate seal, shall be evidence in all courts of this state, in like manner as if the originals were produced. He shall also have power to acknowledge deeds and to administer any oath authorized by the laws of this state.
- Duties of clerk. § 6. The city attorney shall conduct all the law business of the corporation and of the departments thereof, and all other law business in which the city shall be interested. When so ordered by the corporation, and when required, shall furnish written opinions upon subjects submitted to
- Attorney.

him by the mayor or city council, or any other department of the municipal government. He shall also keep a docket of all cases to which the city may be a party in any court of record, in which shall be briefly stated all steps taken in each cause, and which shall at all times be open to the inspection of the mayor, clerk, or any committee of the city council, and to perform such other duties as may be prescribed by the charter and ordinances of the city.

§ 7. The city assessor shall perform all duties in relation to the assessing of property, for the purpose of levying the taxes imposed by the city council. In the performance of his duties, he shall have the same powers as are or may be given by law to county or town assessors, and be subject to the same liabilities. City assessor.

§ 8. The city engineer and surveyor shall have the sole power, under the direction and control of the city council, to survey within the city limits, and he shall be governed by such rules and ordinances and shall receive such compensation for his services as the city council shall direct. He shall possess the same powers in making surveys and plats within the city as is given by law to county surveyors, and the like effect and validity shall be given to his acts and to all plats made by any such surveyor, as are or may be given by law to the acts, plats and surveys of county surveyors. Engineer and surveyor.
Powers of.

§ 9. The city council shall have power, from time to time, to require further and other duties of all officers whose duties are herein prescribed, and prescribe the powers and duties of all officers appointed or elected to any office under this act, whose duties are not herein specified, and fix their compensation. They may also require bonds to be given to the city of Peoria by all officers, for the faithful performance of their duties. Requirements of officers.

§ 10. All officers receiving or holding any moneys by virtue of this act, or by the ordinances of the city, shall, severally, before they enter on the duties of their respective offices, execute a bond to the city of Peoria in such sum, and with such sureties, as the city council shall approve, conditioned that they shall faithfully execute the duties of their offices, and account for and pay over all moneys and other property received by them in their official capacity; which bonds, with the approval of the city council certified thereon by the clerk, shall be filed with the clerk. Bonds, securities, etc.

§ 11. If any person, having been an officer in said city, shall not, within ten days after notification and request, deliver to his successor in office all property, papers and effects of every description in his possession, belonging to said city, or appertaining to the office he held, he shall forfeit and pay, for the use of the city, one hundred dollars, besides all damages caused by his neglect or refusal so to deliver. And such successor shall and may recover posses- Deliverance of records.

sion of the books, papers and property appertaining to his office, in the manner prescribed by the laws of the state.

Commission of officers.

§ 12. All persons elected or appointed to any office under this act may be commissioned by warrant, under the corporate seal, signed by the mayor or presiding officer of the city council, and clerk.

Compensation.

§ 13. The city council may, by ordinance, establish the compensation of all officers of said city, and provide for their removal from office, in case they receive or retain other or greater fees than so paid or fixed by the corporation for their services.

Perquisites of office prohibited

§ 14. All fees, perquisites and emoluments of office whatsoever, by the way of compensation for the performance of any official duty or duties, are hereby expressly prohibited to be retained by any officer whose compensation is provided to be paid by a salary, to be fixed by the city council under this act; and all fees, perquisites and emoluments whatsoever, received or paid, or payable to any officer, police magistrate, mayor, attorney, collector, treasurer or other person whose compensation is to be so paid by a fixed salary, shall belong to and be paid by such person or persons into the treasury of said city, the same as the revenues belonging thereto, and any violation of this provision shall subject the offender to removal from his office, and the amount received by him shall be recoverable by action of debt, or assumpsit, in favor of the city.

Payment of salaries.

§ 15. All salaries shall be payable monthly, or quarterly, out of the appropriated funds voted by the city council to pay the same, upon the warrant of the mayor, countersigned by the clerk.

Salaries of other officers.

§ 16. The salaries of all city officers who receive a fixed compensation for their services, and whose salaries are not definitely prescribed by this act, including all officers and employees in the police force and fire department of said city, shall be established by the city council in the annual appropriation bill, or by some ordinance passed prior to the passage of such annual appropriation bill, and the salaries and compensation thus established shall neither be increased or diminished by the said city council after the passage of said annual appropriation bill, during the then current municipal year, and no extra compensation shall ever be allowed to any such officer or employee in any department of the city government, over and above that provided in the manner aforesaid, except by the unanimous consent of the city council.

CHAPTER IV.

THE CITY COUNCIL, ITS GENERAL POWERS AND DUTIES.

Mayor and city council.

SECTION 1. The mayor and aldermen shall constitute the city council of said city. The city council shall meet at

such times and places as they shall by resolution direct. The mayor shall have only a casting vote. A majority of the city council shall constitute a quorum. The aldermen shall receive such compensation as the city council may by ordinance direct.

§ 2. No member of the city council shall, during the period for which he may be elected, be appointed to or be competent to hold any office, of which the emoluments are paid from the city treasury, or paid by fees directed to be paid by any act or ordinance of the city council. Hold one office.

§ 3. The city council shall hold stated meetings, and the mayor or two aldermen may call special meetings, by notice to each of the members of said council, served personally, or left at his usual place of abode. Petitions and remonstrances may be presented to the city council, and the council shall determine the rules of its own proceedings, and be the judge of the election and qualification of its own members, and have power to compel the attendance of its own members. Council meetings.

§ 4. All ordinances, petitions and communications to the city council shall, unless by a two-thirds vote, be referred to appropriate committees, and only be acted on by the council at a subsequent meeting, on the report of the committee having the same in charge. Order of proceedings.

§ 5. The city council shall have power to require from any officer of said city, at any time, a report in detail of the transactions in his office, or of any matter connected therewith, by said council deemed necessary. Reports in detail.

§ 6. Upon the passage of all orders, ordinances or resolutions appropriating money, imposing taxes, or authorizing the borrowing of money, the yeas and nays shall be entered on the record of the city council, and a majority of the votes of all the city council shall be necessary to their passage. Vote on passage of ordinances.

§ 7. The city council shall have, subject to the provisions hereinafter contained, the general management and the control of the finances, except the funds for school purposes, and all the property, real, personal and mixed, belonging to the corporation, except school property, and shall likewise have power within the jurisdiction of said city, by ordinance— Council shall control finances.

First.—To prevent and punish forestalling, and regrating, and to prevent and restrain every kind of fraudulent device and practice. Forestalling and regrating.

Second.—To restrain and prohibit all descriptions of gaming and fraudulent devices, and all playing of dice, cards and other games of chance, with or without betting. Gambling, etc.

Third.—To regulate the selling or giving away of distilled or fermented liquors. Sale of liquors.

Fourth.—To forbid the selling or giving away of any distilled or fermented liquors, to any minor, apprentice or ser- Giving liquors to minors.

vant, without the consent of his or her parents, guardian, master or mistress.

Tavern-keepers, etc.

Fifth.—To license, regulate and restrain tavern keepers, grocers, and keepers of ordinaries or victualing houses, or other houses or places, for the selling or giving away of wines and other liquids, whether ardent, vinous or fermented.

Billiard tables and bowling alleys.

Sixth.—To license, tax, regulate, suppress or prohibit billiard tables, bagatelle tables, pin alleys or tables, nine or ten pin alleys and ball alleys.

Hackmen, draymen and carters.

Seventh.—To license, regulate and suppress hackmen, draymen, carters, porters, omnibus drivers, cabmen, packers, carmen and others, who may pursue like occupations, with or without vehicles, and prescribe their compensation.

Auctioneers, money changers

Eighth.—To tax, license and regulate auctioneers, distillers, brewers, lumber yards, livery stables, money changers, pawnbrokers, gift enterprises of every description, and to impose duties upon the sale of goods at auction.

Hawkers and peddlers.

Ninth.—To license, tax, regulate and suppress hawkers and peddlers.

Exhibitions.

Tenth.—To regulate, license, suppress or prohibit all exhibitions of common showmen, shows of every kind, concerts or other musical entertainments, by itinerants, persons or companies; or exhibitions of natural or artificial curiosities, caravans, circuses, theatrical performances, and all other exhibitions and amusements.

Butcher s.

Eleventh.—To regulate and license or prohibit butchers, and to revoke their license for malconduct in the course of trade; and to regulate, license and restrain the sale of fresh meats and vegetables in the city, and restrain and punish the forestalling of poultry, fruit and eggs.

Porters and portorage.

Twelfth.—To license, regulate and restrain porters, and runners for boats, stages and cars, and public houses, and fix the rate of portorage.

Mayor to issue license.

Thirteenth.—To authorize the mayor and city clerk, or either of them, to grant and issue licenses, and direct the manner of issuing and registering thereof, and the fees to be paid therefor: *Provided*, that no license shall be granted for more than one year, and that not more than five hundred dollars shall be required to be paid for any license under this act; and the fee for issuing the same shall not exceed one and a half dollars; but no license for the sale of wines or other liquors, ardent, vinous or fermented, at wholesale or retail, or by inn-keepers or others, as aforesaid, shall be less than fifty dollars. Bond shall be taken on the granting of such license, for the due observance of the ordinances or the regulations of the city council, as said city council shall by ordinance direct.

Prevent riotous conduct.

Fourteenth.—To prevent any riot or noise, disturbance or disorderly assemblage.

Fifteenth.—To suppress and restrain disorderly houses, gambling houses, and to authorize the destruction and demolition of all instruments and devices for the purpose of gaming. Suppress disorderly houses.

Sixteenth.—To suppress, restrain and abate houses or places of ill fame, bawdy houses, and houses of assignation, within the limits of said city of Peoria, and within five miles of the water boundaries of said city, and to have power to impose fines and penalties upon any person or persons, for keeping, remaining at, or frequenting the same, and to compel any person to testify in all cases touching the same: *Provided*, that such witnesses shall not be punished for anything disclosed in such testimony. To remove houses of ill fame.

Seventeenth.—To compel the owner or occupant of any grocery, cellar, tallow chandler shop, soap factory, tannery, stable, barn, privy, sewer, or other unwholesome, nauseous house or place, to cleanse, remove, or abate the same from time to time, as often as may be necessary for the health, comfort and convenience of the inhabitants of the city. Clean private premises.

Eighteenth.—To direct the location and management of, and regulate and license breweries, tanneries and packing houses and to direct the location, management and construction of, and regulate, license, restrain, abate and prohibit, within the city and the distance of five miles therefrom, distilleries, slaughtering establishments, establishments for steaming and rendering lard, tallow, offal and such other substances as can or may be rendered, and all establishments or places where any nauseous, offensive or any unwholesome business may be carried on. Breweries, tanneries, etc.

Nineteenth.—To erect market houses, establish markets and market places, and provide for the government and regulation thereof. Markets.

Twentieth.—To direct and prohibit the location and management of houses for storing and manufacturing of gunpowder, coal oil or other combustible and dangerous materials, within the city, and to regulate the keeping and conveying of gunpowder, coal oil and other combustible and dangerous materials, and the use of candles and lights in barns, stables and out-houses. Gunpowder, pitch and tar.

Twenty-first.—To prevent horse-racing, immoderate riding or driving in the streets and to authorize persons immoderately riding or driving as aforesaid, to be stopped by any person, and punish or prohibit the abuse of animals; to compel persons to fasten their horses, oxen, or other animals, attached to vehicles or otherwise, while standing or remaining on the street. Horse-racing and fast driving.

Twenty-second.—To prevent the incumbering of the streets, sidewalks, lanes, alleys, public grounds, wharves and docks with carriages, carts, boxes, lumber, timber, firewood, coal, ashes, posts, awnings, signs, or any substance or material whatever. Incumbering of streets, lanes and alleys.

- Bathing. *Twenty-third.*—To regulate and determine the times and places of bathing and swimming in the river and other waters in and adjoining said city, and to prevent any indecent and obscene exhibitions, exposure or conduct.
- Vagrants, etc. *Twenty-fourth.*—To restrain and punish vagrants, mendicants, street-beggars and prostitutes.
- Stock at large. *Twenty-fifth.*—To restrain and regulate and prohibit the running at large of cattle, horses, mules, swine, sheep, goats and geese, and to authorize the distraining, impounding and sale of the same for the penalty incurred and the cost of the proceedings, and also to impose penalties on the owners of any such animals for a violation of any ordinance in relation thereto.
- Running at large of dogs. *Twenty-sixth.*—To prevent and regulate the running at large of dogs, to tax, and to authorize the destruction of the same when at large contrary to ordinance.
- Rolling of hoops, etc. *Twenty-seventh.*—To prevent and regulate the rolling of hoops, playing of ball, flying of kites, or any other amusement or practice having a tendency to annoy persons in the streets or on the sidewalks, or to frighten teams and horses.
- Ashes. *Twenty-eighth.*—To prevent the depositing of ashes, papers or litter of any kind whatsoever in the streets or alleys of the city.
- Prevent contagious diseases. *Twenty-ninth.*—To make regulations to prevent the introduction or spread of contagious diseases into the city, to make quarantine laws for that purpose and enforce the same.
- To abate nuisances. *Thirtieth.*—To prevent any person from bringing or depositing or having within the limits of said city any dead carcass or any unwholesome substance, or any putrid or unsound beef, pork, fish, hides or skins of any kind, and to cause the removal or destruction thereof, as the said city council shall by ordinance direct.
- To have exclusive power over streets. *Thirty-first.*—To control and regulate the streets and alleys and to remove and abate any obstructions and encroachments thereon, and to prescribe the manner and regulate the erection of buildings.
- To clean sidewalks. *Thirty-second.*—To compel all persons to keep the snow, ice and dirt from the sidewalks in front of the premises owned or occupied by them.
- Ringling bells, noises, etc. *Thirty-third.*—To prevent the ringing of bells blowing of horns and bugles, crying of goods, and all other noises, performances and devices tending to the collection of persons on the streets or sidewalks, by auctioneers or others, for the purpose of business, amusement or otherwise.
- Nuisances. *Thirty-fourth.*—To abate and remove nuisances, and punish the authors thereof by penalties, fines and imprisonment, and to define and declare what shall be deemed nuisances, and authorize and direct the summary abatement thereof; but nothing in this act shall be so construed as to oust any court of jurisdiction, to abate and remove nuisances.

ces in the streets or any other parts of said city or within its jurisdiction, by indictment or otherwise.

Thirty-fifth.—To regulate the burial of the dead, and registration of births and deaths; to direct the returning and keeping of bills of mortality, and to impose penalties on physicians, sextons and others for any default in the premises. Regulate the burial of dead.

Thirty-sixth.—To regulate and prohibit the keeping of any lumber yard, and the placing or piling, or selling any lumber, timber, wood or other combustible material, within the fire limits of said city. Lumber yards.

Thirty-seventh.—To regulate the measuring and inspection of lumber, shingles, timber, posts, staves and heading, and all building materials, and appoint one or more inspectors. Inspection of lumber.

Thirty-eight.—To regulate the size of bricks to be sold or used in the city. Bricks.

Thirty-ninth.—To regulate the weighing and place and manner of selling and storing hay and straw, and the cutting and selling of ice, and to restrain the sale of such ice as is impure. Storage of hay.

Fortieth.—To regulate the measurement of wood and charcoal and the weighing and selling of coal, and the place and manner of selling the same. Weighing and selling coal.

Forty-first.—To regulate the inspection of tobacco and of flour, meal, beef, pork, and other provisions sold in barrels, hogsheds and in other packages. Beef, pork and flour.

Forty-second.—To appoint inspectors of brick, gas and gas meters, weighers, gaugers, and regulate their duties and fees. Inspectors, weighers and gaugers.

Forty-third.—To regulate the sale of bread within said city and prescribe the weight of bread in the loaf and the quality of the same. Bread.

Forty-fourth.—To regulate public pumps, wells and cisterns, hydrants and reservoirs, and prevent the unnecessary waste of water. Wells, cisterns

Forty-fifth.—To erect gas works, and provide for the lighting of the streets, and erect lamps and regulate the lighting thereof; and from time to time to create, alter and extend lamp districts. Lighting streets

Forty-sixth.—To establish and regulate public pounds. Pounds.

Forty-seventh.—To provide for the taking enumerations of the inhabitants of the city. Census.

Forty-eighth.—To regulate and prohibit the use of locomotive engines within the city and require railroad cars to be propelled by other power than that of steam; to direct and control the location of railroad tracks, and to require railroad companies to construct at their own expense such bridges, tunnels, sewers or other conveniences at any public railroad crossings, as the city council may deem necessary; also to regulate the running of horse railway cars, the laying

Regulate the speed of railroads.

down of tracks for the same, the transportation of passengers thereon, and the kind of rail to be used.

Bridewell and
house of correc-
tion.

Forty-ninth.—To erect and establish, either within or without the corporate limits of the city, a bridewell or house of correction, and purchase grounds therefor, and appoint and keep as many assistants as may be necessary. In the said bridewell or house of correction shall be confined all vagrants, stragglers or disorderly persons, who may be committed thereto by any court or magistrate in and for the city, and all persons sentenced to said bridewell or house of correction by any court or magistrate in and for the city, for any misdemeanor punishable by imprisonment under and by virtue of any ordinance of said city; and all persons confined therein may be kept at labor or solitary confinement as the said city council may, by ordinance, direct.

House of cor-
rection.

Fiftieth.—To lease or purchase, improve and maintain suitable grounds within or without the corporate limits of said city, for a house of refuge and correction or reform school, to erect buildings thereon, and adopt such rules and regulations for the government thereof, and the commitment and correction of juvenile offenders therein, as may from time to time be deemed expedient.

Weights and
measures.

Fifty-first.—To require every merchant, retailer, trader, and dealer in merchandise or other property of any description, which is sold by measure or weight, to cause their weights or measures to be sealed by the city sealer, and to be subject to his inspection, and to authorize the collection of fees therefor. The standard of weights and measures shall be conformable to those now established by law. The corporation shall have exclusive control of scales in the city.

Improve harbor.

Fifty-second.—To regulate, preserve and improve the harbor; to prevent any use of the same, or any act in relation thereto, inconsistent with or detrimental to the public health, or calculated to render the waters of the same, or any part thereof, impure or offensive, or tending in any degree to fill up or obstruct the same; to prevent and punish the casting or depositing therein any earth, ashes, or other substance, filth, logs or floating matter; to prevent and remove all obstructions therein and punish the authors thereof. The harbor of the city shall include all public wharves and landing places, and all of Lake Peoria and Illinois river as lies within the corporate limits of said city.

Wharfage.

Fifty-third.—To regulate the erection of private wharves, docks, slips and landing places in said city, and to fix the rates of wharfage thereat, and to compel the owners thereof or persons using the same to pay a license therefor.

Shade trees.

Fifty-fourth.—To direct and regulate the planting and preserving ornamental trees in the streets and public grounds.

Fifty-fifth.—To fill up, drain, cleanse, alter, relay, re-
pair and regulate any grounds, barns, yards, slips, cellars,
private drains, sinks and privies and direct and regulate their
construction, and cause the expenses to be assessed and col-
lected in the manner herein provided. Drains, etc.

Fifty-sixth.—To erect and establish within or without
the limits of said city one or more pest houses, hospitals or
dispensaries, and purchase grounds therefor, and control
and regulate the same. Hospitals.

Fifty-seventh.—To prevent any person from bringing or
depositing any dead carcass, or depositing or having within
the limits of said city any dead carcass or any other un-
wholesome substance, or any putrid or unound beef, pork,
fish, hides or skins of any kind, and to cause the removal
or destruction thereof, as said city council shall, by ordi-
nance, direct. Unwholesome
provisions.

Fifty-eighth.—To control, regulate, repair, amend and
clear the streets and alleys, bridges, side and cross walks, and
open, widen, straighten, extend and vacate and name streets
and alleys, and establish and alter the grade thereof, and
prevent the incumbering of the streets in any manner, and
protect the same from any encroachments or injury. Street im-
provements.

Fifty-ninth.—To appropriate money and provide for the
payment of the debt and expenses of the city. Debts and ex-
penses of the
city.

Sixtieth.—To divide the city into wards and alter the
boundaries thereof, and to create any number of additional
wards in said city: *Provided*, that under this act there
shall be no increase of wards oftener than once in three
years, and not for three months next preceding any municipal
election. Wards.

Sixty-first.—To authorize the taking up and provide for
the safe keeping and education, for such periods of time as
may be deemed expedient, of all children who are destitute
of proper parental care, and growing up in mendicancy,
ignorance, idleness or vice. Destitute chil-
dren.

Sixty-second.—To authorize the arrest, fine, and impris-
onment in the city bridewell or house of correction, as va-
grants, all persons, who, not having visible means to main-
tain themselves, are without employment, idly loitering or
rambling about, or lounging in groceries, drinking saloons,
houses of ill-fame, or houses of bad repute, gambling houses,
railroad depots or fire engine houses, or who shall be found
trespassing in the night time upon the private premises of
others, or begging or placing themselves in the streets or
other thoroughfares or public places to beg or receive alms;
also keepers, exhibitors or visitors, at any gambling house,
gaming table, house for fortune-telling, places for cock fight-
ing, or other places of fraudulent devise, and all persons
who go about for the purpose of gaming or watch stuffing,
or who shall have in their possession any article or thing
used for obtaining money on false pretenses, or who shall dis-
Imprisonment
of vagrants.

turb any place where public or private schools are held on week days or Sabbaths, or places where religious worship is held.

Bridges.

Sixty-third.—To establish, erect and keep in repair bridges.

Regulate the police of the city

Sixty-fourth.—To regulate the police force of said city, and prescribe their duties and powers, and to fix the compensation of all city officers, and regulate the fees of juries, witnesses and others, for any services rendered under this act or the ordinances of the city.

To regulate second-hand and junk stores.

Sixty-fifth.—To tax, license and regulate second hand and junk stores, and to forbid their purchasing or receiving from minors, without the written consent of their parents or guardians, any article whatever.

Power to make ordinances.

§ 8. The city council shall have power to make all ordinances which shall be necessary and proper for carrying into execution the powers specified in this act, so that such ordinances be not repugnant [to] nor inconsistent with the constitution of the United States or of this state.

Cemeteries.

§ 9. The city council is hereby authorized to purchase for said city such tracts of land without the city limits, for the purpose of establishing cemeteries for the interment of the dead therein, as they may think necessary, and to regulate and protect the same.

Insurance companies.

§ 10. The city council shall have exclusive power to license, tax and regulate, within said city, all insurance companies and their agencies doing business in said city, and to compel such companies, or their agents, to take out such license and pay such taxes.

License ferries.

§ 11. The city council shall have exclusive power to regulate and license ferries.

Expenses of legislation paid by individuals.

§ 12. The expenses of all legislation by the city council of said city, for private individuals and companies, shall be paid for by such private individuals and companies.

CHAPTER V.

THE TREASURY DEPARTMENT—DUTIES OF TREASURER.

Treasurer.

SECTION 1. The city treasurer shall receive all moneys belonging to the city, except school moneys, and shall keep his books and accounts in such manner as the city council may prescribe; and such books and accounts shall be always subject to the inspection of any member of the city council.

Mayor to sign the issue of warrants.

§ 2. All warrants drawn upon the treasurer must be signed by the mayor and countersigned by the clerk, stating the particular fund or appropriation to which the same is chargeable, and the person to whom payable; and no money shall be otherwise paid than upon such warrant, as drawn, except as hereinafter provided.

Further duties of city treasurer

§ 3. He shall keep a separate account of each fund or appropriation, and the debts and credits belonging thereto.

He shall give every person paying money into the city treasury a duplicate receipt therefor, specifying the date of payment, and upon what account paid; and he shall also file copies of such receipts with the clerk at the date of his monthly reports.

§ 5. The treasurer shall, at the end of each and every month, and oftener if required, render an account to the city council, or such officer as the said council may designate, under oath, showing the state of the treasury at the date of such account, and the balance of money in the treasury. He shall also accompany such account with a statement of all moneys received into the treasury, and on what account, together with all warrants redeemed and paid by him; which said warrants, with any and all vouchers held by him, shall be delivered to the clerk, and filed, with his said account, in the clerk's office, upon every day of such settlement. He shall return all warrants paid by him, stamped or marked "paid," and shall give a list of said warrants, stating the number and amount of each.

Treasurer to report monthly.

§ 6. The treasurer shall keep all moneys in his hands, belonging to the city, separate and distinct from his own moneys; and he is hereby expressly prohibited from using, either directly or indirectly, the corporation money or warrants in his custody and keeping, for his own use and benefit, or that of any other person or persons whomsoever; and any violation of this provision shall subject him to immediate removal from office by the city council, who are hereby authorized to declare said office vacant; and the city council shall appoint a successor, who shall hold his office for [the] remainder of [the] term unexpired of such officer so removed.

Penalty for using city funds

§ 7. The treasurer shall report to the city council, annually, on the first Tuesday in January, and oftener if required, a full and detailed account of all receipts and expenditures during the preceding fiscal year, and the state of the treasury. He shall also keep a register of all warrants redeemed and paid during the year, describing such warrants, their rate, amount, number, the fund from which paid, and persons to whom paid—specifying also the time of payment; and all such warrants shall be examined at the time of the making such annual report to the city council, by the finance committee.

Annual report.

§ 8. All moneys received on any special assessment shall be held by the treasurer as a special fund, to be applied to the payment of the improvement for which the assessment was made; and said money shall be used for no other purpose whatsoever.

Special assessments.

§ 9. The treasurer shall give bond, with sureties, to the amount of not less than one hundred thousand dollars; and the amount of his bond shall be increased to such sum as may be fixed by the city council—said bond to be ap-

Bond and surety

proved by the city council, and filed in the clerk's office, and entered on record. He shall also be sworn, the same as other officers, to the faithful discharge of the duties of his office.

CITY COLLECTOR.

Duties of the city collector.

§ 10. It shall be the duty of the city collector to collect all taxes and assessments which may be levied by said city, and perform such other duties as may be prescribed or ordained by the city council. He shall keep his office in such place as may be designated and provided by the city council, appropriate to the keeping of such office, in the treasury department; and shall keep in said office, besides his collection and revenue warrants, such other books, vouchers, records and accounts as the city council may, by regulation of the department, direct and prescribe; which books and records, and all other papers, shall remain in and pertain to said office, and be handed over to the successor or successors of said officer, or deposited in the office of the clerk.

Finance committee to have control of papers.

§ 11. All the city collector's papers, books, warrants and vouchers shall be examined by, and the same are hereby placed under the supervision of, the clerk, or finance committee, as the council may direct; and the collector shall, weekly, on receipt of the same, pay over all moneys collected by him, of any person or persons, to the city treasurer, and the treasurer of the board of school inspectors, taking their receipt therefor, which said collector shall immediately file in the clerk's office.

Collector to report in writing.

§ 12. The city collector shall make report in writing, under oath, to the finance committee or clerk, weekly, or oftener if required, of the amount of all moneys collected by him, the account upon which collected, and shall file with the clerk the vouchers or receipts of the treasurer for the amount so collected. He shall, also, on the last Tuesday in December in each year, submit to the city council and finance committee a statement of all moneys by him collected during the year, and the particular warrant, assessment or account upon which collected, and the balance of moneys uncollected on the warrants in his hands, or returned to the clerk; and a copy of such statement shall also be filed with the clerk.

Collector prohibited from keeping the city funds.

§ 13. The city collector is hereby expressly prohibited from keeping the moneys of the city in his hands, or in the hands of any person or corporation to his use, beyond the time prescribed for the payment of the same to the city treasurer; and any violation of this provision shall subject him to immediate removal from office by the city council; and it is hereby declared to be the duty of the city council, upon such removal being made, to appoint a

successor, who shall hold his office for the remainder of the unexpired term of such officer so removed.

§ 14. The collector shall give bond, with sureties, to the amount of not less than one hundred thousand dollars; and the amount of his bond may be increased to such sum as may be fixed by the city council—said bond to be approved by the city council, and filed in the clerk's office, and entered on record. He shall also be sworn, the same as other officers, to the faithful discharge of the duties of his office. Collector to give bond.

§ 15. If the collector shall receive any moneys for taxes or assessments, giving a receipt therefor, for any lands or parcel of land, and afterward sell the same at any sale for taxes or assessments, for the tax or assessment which has been so paid and receipted for, by himself or assistant, he and his bond shall be liable to the holder of the certificate given to the purchaser at the sale, for double the amount of the face of the certificate, to be demanded within two years from the date of sale, and recorded in any court having jurisdiction of the amount; and the city shall in no case be liable to the holder of such certificate. Malfeasance of collector.

GENERAL PROVISIONS.

§ 16. The finance committee and the clerk shall annually meet, in the month of December, and compare all such reports and statements as are made by the clerk, treasurer and collector, and report thereon to the city council. Report of the finance committee.

§ 17. In the adjustment of the accounts of the treasurer and collector with the clerk, there shall be an appeal to the finance committee, whose decision in all matters of controversy arising between said officers in the treasury department shall be binding, unless the city council shall otherwise direct and provide. Officers may appeal to finance committee.

§ 18. The said collector and treasurer shall perform such other duties and be subject to such other rules and regulations as the city council may, from time to time, by ordinance, provide and establish. Treasurer and collector. Further duties.

§ 19. The treasurer and city collector, and all receivers of city money, are hereby required to keep safely, without loaning or using, all the city or public moneys collected by them or otherwise, at any time, placed in their custody or disposal, until the same are paid over or directed by the proper officer, warrant, law or order of the corporation to be transferred or paid out, and to make all payments and transfers promptly, when thereto required by any law or order of said corporation. And if either of said officers, or of those connected with them in the collection, safe-keeping or disbursing of said city revenues, shall convert to his or their own use, in any way whatever, or shall use by way of investment in any kind of property or merchandise, or shall No moneys of the city loaned.

loan, with or without interest, any portion of said city moneys entrusted to him or them for safe keeping, disbursement, payment, transfer or for any other purpose, every such act shall be deemed and adjudged to be an embezzlement of so much of the said moneys as shall be thus taken, converted, invested, used or loaned, which is hereby declared a felony; and any officer or agent of said city, and all persons advising or participating in such act, or being a party thereto, shall, upon conviction before any court of competent jurisdiction in this state, be sentenced to imprisonment for a term of not less than six months nor more than ten years in the penitentiary of this state, and also be fined in a sum equal to the amount of the money embezzled, which shall be, when collected, paid into the city treasury.

Accounts verified by oath.

§ 20. All returns and accounts made or required to be rendered under this act by any of the officers of said treasury department shall be verified by the oath of the person rendering it; in which said oath it shall be declared that said statement, so far as he knows or has reason to believe, is a fair, accurate and full statement of the matters to which it relates, and of all moneys in his hands, or which any one for him has received, since his last official account was rendered; and that he has not, directly or indirectly, used, loaned, invested or converted to his own use, or suffered any one to use, loan, invest or convert to their or his use any of the public moneys receivable or received by him, or subject to his warrant or control, but that he has acted diligently and without any collusion or frauds in the collection or disbursement of the public moneys of said city, and that he has rendered a true and full account thereof in his said statement; which oath shall be attached to and filed with said accounts in the office of the city clerk. And in case said statements, or any of them, shall be false, the said person so making such statement shall be deemed guilty of willful and corrupt perjury, and shall be punished accordingly.

Appropriations.

§ 21. All appropriations shall be based upon the specific and detailed statements made by some proper head of a department or officer of the city, and shall be made within the first quarter of the fiscal year—which fiscal year shall be held to commence on the first day of January of every year.

No additions to expenditures beyond amount appropriated.

§ 22. Neither the city council nor any department or officer of the city shall add to the city expenditures, in any one year, anything, over and above the amount provided for in the annual appropriation bill of that year, except as herein specially provided; and no expenditure for an improvement to be paid for out of the general fund of said city shall exceed, in any one year, the amount for such improvement in the annual appropriation bill: *Provided, however,* that nothing herein contained shall prevent the

city council from ordering any improvement, the necessity of which is caused by any casualty or accident happening after such annual appropriation is made. The city council may order the mayor and finance committee to borrow a sufficient amount to provide for the expense necessary to be incurred in making any improvement the necessity of which has arisen as is last above mentioned, for a space of time not exceeding the next municipal year; which sum and the interest shall be added to the amount authorized to be raised in the next general tax levy and embraced therein. Should any judgment be obtained against the city, the mayor or finance committee, under the sanction of the city council, may borrow a sufficient amount to pay the same, for a space of time not exceeding the close of the next municipal year; which sum and interest shall in like manner be added to the amount authorized to be raised in the next general tax levy of the next year and embraced therein.

§ 23. Whenever any bonds of the city which may have been heretofore, or may be hereafter lawfully issued, shall become due, the city council may, by ordinance, authorize the mayor and clerk to issue new bonds, to an amount sufficient to retire and satisfy the same, running not to exceed twenty years, bearing interest at a rate not exceeding seven per cent. per annum, payable semi-annually, and payable, principal and interest, at such place as they may direct.

New bonds may be issued.

§ 24. The clerk shall keep in his office, in a book or books kept separately for this purpose, a correct list of all the outstanding bonds of the city, showing the number and amount of each, and when and to whom the same were issued; and when any of said bonds are purchased or paid and canceled, said book or books shall show the same. In his annual report, the clerk shall describe particularly the bonds sold during the year, and the terms of the sale, with each and every item of expense thereof. He shall also describe the bonds paid or purchased in order to be canceled, the person of whom purchased and the amount paid, with each and every item of expense thereof.

A register of bonds kept.

§ 25. In case of any deficiency in any fund to meet any demand upon it, the mayor and clerk may use, to meet such demand, any money standing to the credit of any other fund, either general or special, except the water fund, the school tax fund and special assessment fund: *Provided*, the consent of the city council shall be first had and obtained thereto. A correct account of all moneys so transferred shall be kept by the clerk; and said moneys shall be replaced within not to exceed three months, out of the revenue subsequently received into the treasury, to the credit of the fund thus supplied. No money shall be so used or transferred unless adequate provision has been made which will permit the reimbursement within said period.

Deficiency in fund.

Limit issue of bonds.

§ 26. No bonds or other evidences of debt shall be issued by the city except as in this act provided.

Not to be interested in contracts.

§ 27. No contract shall be hereafter made by the city council or any committee or member thereof, and no expense shall be incurred by any of the officers or departments of said city government, whether the object of the expenditure shall have been ordered by the city council or not, unless an appropriation shall have been previously made concerning such expense; and no member of the city council, head of department, clerk, city officer, assistant or employee in any department of said city, shall be directly or indirectly interested in any contract, the consideration of which is paid from the city treasury, under the penalty of his removal from office.

City clerk, pro tem.

§ 28. In case of the sickness, absence or other temporary disability of the clerk of said city to attend to the duties of his office, the city council shall elect a clerk *pro tem.*, who shall have all the powers of the clerk during his absence or disability.

CHAPTER VI.

PUBLIC IMPROVEMENTS AND SPECIAL ASSESSMENTS.

SECTION 1. The city council shall have power, from time to time—

Power of city council.

First.—To lay out public streets, alleys, lanes, avenues and highways in said city, and extend, alter, widen, contract, straighten and discontinue the same, and to purchase and lay out public parks and squares or grounds.

Erect wharves.

Second.—To establish, erect, make, regulate and repair public wharves, docks, slips and landing places in said city, and extend, alter, widen, contract, straighten and discontinue the same.

Improvement of streets, alleys and highways.

Third.—To cause any street, alley, lane, avenue or highway to be filled, graded, leveled, paved, curbed, walled, graveled, macadamized or planked, and keep the same in repair.

Sidewalks, etc.

Fourth.—To cause cross and sidewalks, main drains and sewers, area walls, lamp posts and private drains, to be constructed and laid, relaid, erected, cleansed and repaired.

Public square.

Fifth.—To fill, grade, improve, protect and ornament any public square now or hereafter to be laid out.

Expenses for improvements.

§ 2. The expenses of any improvement mentioned in the foregoing section shall be defrayed, save as is herein otherwise provided, by a special assessment upon the real estate benefited thereby—to be levied in the manner hereinafter prescribed.

Grading, paving and macadamizing.

§ 3. All applications or propositions for the establishing of the grades of streets or for a change of grade, the erection of lamp posts, the grading, regrading, paving, repaving, graveled and regaveling, macadamizing, planking

and replanking of streets, alleys, lanes, avenues or highways, the construction and repairs of sidewalks, main drains, sewers and private drains, the improvement of public grounds or buildings belonging to the city, except school houses or grounds, the opening, closing, straightening, widening and repairing of any street, lane, alley, avenue or highway, or for any other improvement, the doing of which is within the discretion and control of the municipal government of said city, shall be made to the city council, and by them referred to the proper standing or regular committee of said council. Upon receiving any such application or proposition, the said committee shall proceed to investigate the same, and if they shall determine that such improvement is necessary and proper, they shall report the same to the city council, accompanied with a statement of the expense thereof, and a proper order or ordinance directing the work, and shall, in such estimate, specify how much of said expense, in their opinion, may be properly chargeable to the real estate especially benefited by such improvement, and how much may be properly chargeable to and paid out of the general fund of said city. If said committee does not approve of such application, they shall report their reasons for their disapproval to the city council. Having reported on such application, and recommending that the improvement be made, or disapproving of it, the city council may then, in either case, order the doing of such work or the making of such public improvement after having first obtained from said committee an estimate of the expense thereof, and shall, in such order, specify what amount of said estimated expense shall be assessed upon the property deemed specially benefited, and what amount shall be chargeable to and paid out of the general fund. The city council may, in like manner, order, whenever they think proper, any improvement of the nature specified in this section, though no application may have been made therefor. And in all cases the city council, after having obtained from said committee an estimate of the expense, may make such changes in the proposed plan as may be petitioned for by any of the owners of the property to be assessed.

§ 4. Whenever the said committee shall recommend the opening, straightening, widening or extending of any street, alley, lane, avenue or highway in said city, they shall furnish to the city council a plan or profile of the contemplated improvement, and shall also specially report whether, in their opinion, [the] real estate to be benefited to the extent of the damages, costs and expenses necessary to be incurred thereby; and whenever in any case they shall recommend to the city council the doing of any work, or the making of any public improvement, to be paid for by a special assessment, they shall, with such recommendation, certify whether the contemplated improvement is asked for

Plan and profile of improvement.

by a petition of the owners of a majority of the property to be assessed for such improvement. And if the owners of a majority of the property so to be assessed, shall have failed to petition therefor, the same shall be ordered by ordinance, only, by the vote of at least two-thirds of all the aldermen present, such vote to be entered, by yeas and nays, on the record of the city council. The certificate of a majority of said committee shall be *prima facie* evidence as to the number of said petitioners, and of their interest in the property assessed.

CONDEMNATION PROCEEDINGS.

Damage and
recompense for
land taken.

§ 5. Whenever any order is passed by the city council, by virtue hereof, for the opening, straightening, widening, or extending of any street, lane, alley, avenue or highway, in said city, the commissioners, as herein provided, shall proceed forthwith to ascertain and assess the damages and recompense due to the owners of such land, respectively, and at the same time to determine what real estate will be benefited by such improvement, and assess the damages, together with the costs of proceedings, on the real estate by them deemed benefited, in proportion, as nearly as may be, to the benefits resulting to each separate lot or parcel.

Appointment
of street com-
missioners.

§ 6. That for the purpose of making all assessments, under and by virtue of this charter, there is hereby created a board of commissioners, who shall be known and designated as street commissioners, who shall be residents and freeholders in said city. Said board shall make all assessments as herein required, and shall be sworn as other officers of the city. Said board shall consist of three commissioners, who shall be appointed by the city council, by ballot, or otherwise, on the first Tuesday in January, 1869, or as soon thereafter as may be. Said commissioners, when appointed, shall hold their offices for the term following: The first so appointed until the first Tuesday in January, 1872; the second until the first Tuesday in January, 1871; the third until the first Tuesday in January, 1870, and until their successors are appointed and qualified, and thereafter their successors shall, respectively, continue in office three years. The city council shall have power to remove any or all of said commissioners, and appoint others in their places, and if either of said commissioners shall be interested in any assessment, said council may appoint some person to serve in his place, for such assessment only; and should any vacancy occur in said board from any cause, the said city council shall fill said vacancy at their first meeting thereafter. All commissioners to receive such compensation as the city council may direct.

Publication of
notice.

§ 7. The commissioners shall give six days' notice, by publication in the newspaper publishing the ordinances of

said city, of the time and place of their meeting, for the purpose of making said assessment, in which notice they shall specify what such assessment is to be for, and shall describe the land to be condemned, as near as may be done by general description. The meeting of said commissioners, when engaged in making such assessment, shall be held in a public place in said city, to be specified in said notice, and all persons interested in any such assessment, shall have the right to be present and be heard, either in person or by counsel. The commissioners shall view the premises to be condemned, and receive any legal evidence that may be offered, for the purpose of proving the true value thereof, or the damages that will be sustained, or benefit conferred, by reason of the contemplated improvement, and the said commissioners, for this purpose, are hereby authorized to administer oaths to all witnesses produced before them. They shall permit the city attorney to appear before them at such hearing, to represent the interests of the city, and may adjourn from time to time until such assessment is completed.

§ 8. The commissioners, in making said assessments, shall determine and appraise to the owner or owners, the value of the real estate appropriated for the improvement, and the injury arising to them, respectively, from the condemnation thereof, which shall be awarded to such owners, respectively, as damages, after making due allowance therefrom for any benefit which such owners may, respectively, derive from such improvement. Commissioners to appraise the value of land.

§ 9. If the damages to any person be greater than the benefit received, or if the benefit be greater than the damage, in either case the commissioners shall strike a balance and carry the difference forward to another column, so that the assessment may show what amount is to be received or paid by such owners, respectively, and the difference only shall, in any case, be collectable by them or paid to them. Damages and benefits.

§ 10. In the assessment of damages and benefits for the opening of any street or alley, it shall be lawful for the commissioners, in their discretion, in making such assessments, where part of the land to be laid out into such street or alley has been theretofore donated by any person or persons for such street or alley, to appraise the value of the land so donated, and to apply the value thereof, as far as the amount so appraised shall go, as an offset to the benefits assessed, against the person or persons making such donation or those claiming under them. But nothing herein contained shall authorize any person or persons by whom such donation is made, to claim from the city the amount of such appraisal, except as an offset, as herein provided; and where the assessment is for the widening of any street which have been therefore either in whole or in part donated to the public by the proprietors of the adjoining land, Commissioners to make assessments.

it shall also be lawful for said commissioners, in their discretion, to make such allowance therefor in their assessment of benefits as shall, to them, seem equitable and just.

Buildings taken

§ 11. If there should be any building standing in whole or in part upon the land to be taken, the commissioners shall add to their estimate of damages for the land the damage also for the building, or part of building necessary to be taken, if it be the property of the owner of the land. When owned by any other person the damages for the building shall be assessed separately. The value of such building to the owner to remove or of the part thereof necessary to be taken, shall also be determined by the commissioners, and notice of such determination shall be given by them to the owner, when known, if a resident of the city, or left at his usual place of business or abode. If the owner is not known, or is a non-resident, notice to all persons interested shall be given, by publication for ten days in the newspaper publishing the ordinances of said city. Such owner may, at any time within ten days after service or the first publication of such notice, notify to said commission, as in writing, his election to take such building or part of building at their appraisal, and in such case the amount of such appraisal shall be deducted by the commissioners from the estimated damages for the land and building, where they belong to the said owners, and from the estimated damages for the building where they belong to different owners. And the owner shall have such time for the removal of the building after the confirmation of the assessment as the city council may allow. If the owner shall refuse to take the building at the appraisal, or fail to give notice of his election as aforesaid, within the time prescribed, then no deduction shall be made from the estimated damages aforesaid. And the city council shall, after the confirmation of the assessment, and after the money is collected, or otherwise provided, and ready in the hands of the treasurer to be paid over to the owner for his damages, proceed to sell such building or part of building, at public auction, for cash, giving at least five days' public notice of the sale, by publication in the newspaper publishing the ordinances of said city, and cause such building to be forthwith removed. The proceeds of such sale shall be paid into the city treasury, to the credit of the special assessment fund, raised for said improvement.

When owner refuses to take at valuation.

When land belongs to different persons.

§ 12. If the lands and buildings belong to different persons, or if the land be subject to lease, the injury done to such persons, respectively, may be awarded to them by the commissioners, less the benefits resulting to them, respectively, from the improvement.

Proceedings of appraising commissioners.

§ 13. Having ascertained the damages, and expenses of such improvement, as aforesaid, the commissioners shall thereupon apportion and assess the same, together with the

costs of proceedings, upon the real estate by them deemed benefited, in proportion to the benefits resulting thereto from the improvement, as nearly as may be, and shall briefly describe the real estate upon which their assessment may be made, and it shall constitute no legal objection to said assessment that the amount thereof exceeds or falls short of the original estimate of the cost of the improvement submitted to the city council by the committee herein provided.

§ 14. When completed, the commissioners shall sign and file the assessment roll in the office of the city clerk. Notice shall be given by said commissioners, by six days' publication in the newspaper publishing the ordinances of said city, of the filing of such assessment roll in the clerk's office, and that at the next regular meeting of the city council, to be held after such publication, they will apply to the city council for confirmation of said assessment. Objections to said assessment may be heard before the city council, but all parties objecting shall file their objections in writing in the office of the city clerk, at least one day prior to such meeting of the city council. Should no quorum be present at the meeting, the matter shall stand postponed to the next regular meeting of the council when there shall be a quorum. The council shall have power to adjourn such hearing from time to time, and shall have power in their discretion to revise and correct the assessment, supply omissions, and confirm or amend the same, and direct a new assessment to be made. Said assessment, when confirmed by the city council, shall be final and conclusive upon all parties interested therein, except as hereinafter provided; and when said assessment is confirmed, and no appeal is taken, as herein provided, a warrant shall issue for the collection of the same, signed by the mayor and city clerk. If said assessment shall be annulled by the city council, or set aside by the court, the commissioners, or others chosen in their stead, in the manner hereinbefore prescribed, shall proceed to make a new assessment, and return the same in like manner, and give like notice as herein required in relation to the first, and all parties in interest shall have the like rights, and the city council shall perform like duties and shall have like powers in relation to any subsequent determination as are hereby given in relation to the first.

Commissioners,
duty of.

§ 15. Any person whose property has been taken, and who has filed objections to said assessment, as herein provided, shall have the right, at any time within thirty days after the confirmation of the same by the city council, and not after that time, having first given notice of his or her intention so to do, to the city attorney or city clerk, specifying in such notice the court to which the appeal is to be taken, to pray an appeal to any court of general jurisdiction

Objections.

in Peoria county from the order of the city council confirming such assessment, upon filing a bond to said city, approved by the judge or judges of the court to which the appeal is to be taken, conditioned to save the city harmless from all damages caused by taking of such appeal. In case of appeal, a copy of the assessment roll as confirmed by the city council, and of the objections to the final order confirming the same, shall be filed in the office of the clerk of the court to which such appeal shall be taken, and the cause shall be docketed by such clerk in the name of the person taking such appeal against the city of Peoria, as "an appeal from assessment." The said cause shall be then at issue, and shall have preference in order of trial over all civil cases pending in said court. Such appeal shall be tried by the court, and in such trial the only question to be passed upon shall be, whether the city council has jurisdiction in the case, and whether the assessment was legally made. The judgment of the court shall be either to confirm or annul the assessment, from which judgment no appeal or writ of error shall lie.

Confirmation
of special as-
sessments.

§ 16. When any such assessment shall have been confirmed by the city council, and no appeal shall have been taken, when judgment to confirm the assessment shall have been rendered thereon, the same shall be a lawful and sufficient condemnation of the land or property ordered to be appropriated. The city council shall thereupon cause to be paid to the owner of such property, or his agent, the amount of damages, over and above all benefits which may have been awarded therefor, as soon as a sufficient amount of the assessment shall have been collected for that purpose; but the claimant shall in all cases furnish an abstract of the title, showing himself entitled to such damages, before the same shall be paid. If, in any case, there shall be any doubt as to who is entitled to the damages for land taken, the city may require of the claimant a bond, with good and sufficient sureties, to hold said city harmless from all loss, costs and expenses, in case any other person should claim said damages. In all cases, the title to land taken and condemned in the manner aforesaid, shall be vested absolutely in the city in fee simple.

Payment for
land taken.

§ 17. As soon as money is collected and ready, in the hands of the treasurer, to be paid over to parties entitled to damages for property condemned, ten days notice thereof shall be given by the mayor in the newspaper publishing the ordinances of said city; and the city may then, and not before, enter upon, take possession of, and appropriate the property condemned.

Effect of con-
demning land.

§ 18. When the whole of any lot or parcel of land, or other premises under lease or other contract, shall be taken for any of the purposes aforesaid, by virtue of this act, all the covenants, contracts and agreements, and engagements

respecting the same, or any part thereof, shall, upon publication of the notices required in the preceding section, respectively, cease, and be absolutely discharged.

§ 19. Where part, only, of any lot or parcel of land, or other premises so under lease, or other contract, shall be taken for any of the purposes aforesaid, by virtue of this act, all covenants, contracts and agreements, and engagements respecting the same, upon publication of the aforesaid notice, shall be absolutely discharged as to the part thereof so taken, but shall remain valid as to the residue thereof; and the rents, considerations and payments reserved, payable and to be paid for in respect to the same, shall be so proportioned as that the part thereof justly and equitably payable for such residue thereof, and no more, shall be paid or recoverable for the same.

Where only a part of the land is taken,

§ 20. All proceedings taken by said commissioners in relation to the laying out of any street, alley, lane, avenue or highway, or the widening, extending, contracting, straightning or discontinuing the same, shall be recorded by the city clerk, in a book or books kept for that purpose, describing particularly the said improvements, and the real estate required to be taken. If, in any case, not sufficient benefit shall have been found to balance the damages, expenses and costs of proceedings for the opening, straightning, widening or extending of any street, lane, alley, avenue or highway in said city, the city council may, nevertheless, order the work to be done, and the amount of the excess of damages, expenses and costs, over the benefits, shall be charged to and defrayed out of the general fund; and nothing in this act shall prevent the city council, whenever, in the opinion of the same, it shall be necessary to take private property for opening, altering, widening, extending, straightning or establishing any public square or grounds, streets, alleys, avenues, highways, public wharves, docks, slips, or landing places, within the limits of said city, to make just compensation therefor, to the person or persons whose property is proposed to be taken, if the compensation can be agreed upon between the city council and said person or persons, and said city council is authorized and empowered to pay said compensation, and the costs of the making of the aforesaid mentioned improvements, out of the general fund.

Proceedings to be recorded.

IMPROVEMENT OF STREETS.

§ 21. Whenever any order shall be passed by the city council of said city, by virtue hereof, for the filling, leveling, grading, paving, curbing walling, graveling, macadamizing, planking, or repairing of any street, lane, avenue, alley or highway in said city, or for the construction, reconstruction, laying or relaying of any sidewalk or private

Improvement of streets.

drain, or for the making of any public improvement, on account of which authority is given by this chapter to levy special assessments, the street commissioners shall proceed to assess the amount directed by the city council to be assessed for that purpose, with the costs of the proceedings therein, upon the real estate by them deemed specially benefited by any such improvement, in proportion, as nearly as may be, to the benefit resulting thereto.

Railway companies may be assessed.

§ 22. Where, in any case, any portion of the expense of making any improvement, mentioned in the foregoing section, shall, by virtue of any valid law or ordinance of the corporation, or by virtue of any valid contract, be chargeable upon any railway company, the amount so chargeable may be assessed upon said railway company, and the balance only upon the real estate benefited thereby; and the city may collect the amount so assessed upon said railway company by distress and sale of property, as in other cases, or by suit brought for that purpose: *Provided*, that any such real estate belonging to such railway company, and deemed benefited by the said improvement, shall be assessed as in other cases.

Assessment notice.

§ 23. Before proceeding to make an assessment for any improvement mentioned in the two preceding sections, said commissioners shall be sworn as in other cases, and shall give six days' notice, by publication in the newspaper publishing the ordinances of said city, of the time and place of their meeting for the purpose of making said assessment, in which notice they shall specify what such assessment is for, and the amount to be assessed. All persons interested in any such assessments shall have the right to be present and be heard, either in person or by counsel; and the said commissioners may, in their discretion, receive any legal evidence, and are hereby authorized to administer oaths to such witnesses, and adjourn from time to time.

Return of assessment lists.

§ 24. When the commissioners shall have completed their assessment, they shall sign and return the same in like manner, and give like notice of the application to the city council for confirmation, as herein required in relation to assessments for the condemnation of real estate; and all parties in interest shall have like rights, and the city council shall perform like duties, and have like powers, so far as the same are applicable in relation to such assessments, as herein given in relation to assessments for the condemnation of real estate. When confirmed by the city council, said assessment shall be final and conclusive upon all parties interested therein, and shall be collected as in other cases, and no appeal shall be taken from the order of confirmation. If any assessment be annulled or set aside, the said commissioners shall proceed to make a new assessment, and shall return the same in like manner, and give like notices, as herein required in relation to the first.

§ 25. When, in any case, it shall be deemed necessary by the city council to cause any sidewalk to be raised, lowered, repaired or relaid, or any private drain to be raised, lowered, repaired or cleansed, it shall be lawful for said council to instruct the committee on streets, alleys and bridges, or other appropriate committee of said council, to require the owner of the premises in front of, adjacent to or upon which said improvement is to be made, to make the same forthwith, or within such reasonable time as the said city council may prescribe, by written notice to that effect, or the city council may instruct said committee to have the work done and paid for out of any moneys in the general fund, not otherwise appropriated. Said committee shall then report to the city council the amount of said expenditure, giving a description of the lots or premises liable therefor, and the amount for which each is chargeable. The city council shall thereupon assess the said expenses by an order, ordinance or resolution, upon such lots or premises, respectively, and the same may be collected by warrant and sale, as in other cases. In like manner, when the city council shall have ordered the construction or reconstruction or repairing of any sidewalk or private drain, it shall be lawful for said committee to cause the work to be done and paid for as above, or by agreement with a contractor, payment to be made out of the special assessment to be levied for the same, and shall then report to the city council the cost and expense of said work, with all proceedings relative thereto, giving a description of the lots and premises to which said expense is chargeable; and the city council shall thereupon assess the said expenses upon such lots, respectively, and the same may be collected by warrant and sale of the premises, as provided above. A suit may also be maintained against the owner of such premises for the recovery of such expenses, as for money paid and laid out for his use and at his request. The city council may also, by ordinance, impose such penalties upon the owners aforesaid, for any neglect or refusal to comply with the aforesaid requirements, not exceeding twenty dollars for each day's neglect, as to the said city council shall seem most proper. All assessments authorized under this section shall be collected by said city, with damages, at the rate of one per cent. a month thereon for each and every month that any such assessment shall remain unpaid, thirty days after the time when public notice shall have been given by the city collector that the warrant for such assessment has been received by him for collection.

General powers of council.

§ 26. Nothing in the preceding section contained shall be so construed as to relieve the owners or occupants of real estate from the duty of keeping the sidewalk in front of or adjacent to their respective premises at all times in a safe condition, and in a good and thorough state of repair;

Sidewalks to be kept in a safe condition.

but such duty is hereby expressly enjoined and imposed upon all such owners and occupants; and if, at any time, any injury shall be sustained by any individual, or the city shall be subjected to any damages in consequence of any defect in the sidewalk, or its being out of repair, the owner and occupant of the adjacent premises, whose duty it is to make repairs, shall be jointly and severally liable therefor; and the same may be recovered by suit in any court of general jurisdiction. If the owner be a non-resident, proceedings may be commenced against the property by attachment, as in other cases of attachment under the laws of this state. Upon the passage of any order, referred to in section (21) twenty-one of this chapter, the city council may, in their discretion, cause said improvement to be made and paid for out of any moneys in the treasury not otherwise appropriated, and afterward cause the expense thereof, together with all costs, to be reimbursed by special assessment, to be levied and collected as in other cases. In case it shall be hereafter determined by judicial decision that any of the improvements, authorized by law or by this act to be done or made by the city, cannot be paid for in whole or in part by special assessment for benefit, then it shall be lawful for the city council, and they are hereby authorized, to levy and collect taxes for such purposes on all the property assessed in said city for general revenue purposes.

REMOVAL OF NUISANCES.

Expenses for
the removal of
nuisances.

§ 27. In all cases where expense may be incurred in the removal of any nuisance, or where it shall have been necessary to provide for the expense of or the removal of any nuisances, the city council may cause the same to be assessed against the real estate chargeable therewith, in the manner prescribed in the twenty-fifth section of this chapter. Such expenses shall be likewise collectable of the owner or occupant of such premises, in a suit for money expended to his or their use. Suit may in like manner be brought for such expenses against the author of such nuisance, when known, or any person whose duty it may be to remove or abate the same.

SEWERS.

Sewerage and
drainage.

§ 28. That, for the purpose of establishing a system of drainage and sewerage in said city, the city council may have power to cause the city to be laid off into districts, to be drained by principal, lateral or tributary sewers and drains, having reference to a general plan of drainage by sewers and drains for the whole city, and number and record the same.

Special tax.

§ 29. Whenever the city council shall deem it necessary, and order the construction of such drains and sewers

within any district so laid off, the said council shall have power to levy and collect a special tax on the real estate within the district so drained, and not to exceed seven mills on the dollar, per annum, on the assessed value thereof, for the purpose of constructing such sewers and drains; which tax shall be annually levied as other city taxes by law, and shall constitute a lien on the real estate in the district in which it is assessed; and the city council shall provide for the construction and letting of such sewers and drains, or such parts thereof as they shall deem necessary, and may, from time to time, extend, enlarge or alter the same, upon such terms and conditions as they shall deem necessary; and the city council shall have power to borrow money for the construction of such sewers and drains, payable, principal and interest, from the special tax collected in such districts, or the city council may apportion the estimated cost of such drains and sewers, and collect the same by a series of annual assessments; but no ordinance creating such debt, special tax or apportionment shall be repealed or altered, until the debt created thereby shall have been paid.

GENERAL PROVISIONS.

§ 30. In all cases, where there is no agreement to the contrary, the owner or landlord, and not the occupant or tenant, shall be deemed the person who ought to bear and pay every charge or assessment made for the expense of any public improvement. Where any such charge or assessment shall be made upon or paid by any person, when, by agreement or by law, the same ought to be borne or paid by any other person, it shall be lawful for the person or persons so paying to sue for, and recover of the person bound to pay the same, the amount so paid, with interest, or he may retain or deduct the same from any rent due or to become due to said person. Nothing herein conditioned shall impair or in any way affect any agreement between any landlord and tenant, or other persons, respecting the payment of such assessments. Landlords and tenants.

§ 31. When any known owner, residing in said city or elsewhere, shall be an infant, and any proceedings had under this act shall render it necessary, the circuit court of the county of Peoria, the judge thereof or any judge of any court of general jurisdiction in said city, or the judge of the county court, may, upon the application of the city council, or such infant or his next friend, appoint a guardian for such infant, taking security from such guardian for the faithful execution of such trust; and all personal notices and summons required by this act may be served upon such guardian. Owner a minor

§ 32. No writ of *certiorari* shall be allowed in the case of any special assessment proceedings, commenced under the provisions of this act, unless applied for within thirty On failure to make objections no suit can be instituted.

days after the confirmation of the assessment, and not then at the suit of any party who has neglected to file his objection to such confirmation, as hereinbefore provided, unless the party applying for the writ shall satisfy the court, by legal and satisfactory evidence other than his own oath, that he has a sufficient legal excuse for such omission or neglect.

Possession and appropriation of land by city.

§ 33. Whenever the damages awarded to the owner, for any property condemned by said city for public use, shall have been paid to such owner or his agent, or when sufficient money for that purpose shall be in the hands of the city treasurer, ready to be paid to such owner, and ten days notice thereof shall have been given in the corporate newspaper, the city may enter upon and appropriate such property to the use for which the same was condemned.

Cost of public wharves, etc.

§ 34. The cost and expense of constructing or repairing public wharves, and wharves or slips at the end of streets, of cleaning sewers and main drains, of the cleaning of streets, alleys, lanes and highways and of ordinary repairs upon the same, of purchasing public squares and parks and improving the same, of the repairs of public buildings belonging to the city, of the construction of cross walks, and of all bridges, and other improvements not enumerated in the first section of this chapter, shall be chargeable upon and paid out of the general fund or of the appropriate fund of said city, not raised by special assessment.

Improvement paid for out of general fund.

§ 35. The cost and expense of making all public improvements mentioned in the first section of this chapter, for which no provision for special assessment or condemnation proceedings has been herein made, shall be chargeable on and paid out of the general fund or other appropriate fund of said city, not raised by special assessment.

Former assessments repealed.

§ 36. All provisions of former acts and ordinances, relating to the levying of special assessment in the city of Peoria, are hereby repealed: *Provided, however*, that the city shall have the right to continue and complete all proceedings commenced under any former law or ordinance, and shall have and enjoy all the rights, accrued or to accrue thereunder, the same as if said provisions remained in full force and effect.

CHAPTER VII.

OF TAXATION.

SECTION 1. The city council shall have power, within the corporate limits of said city, by ordinance—

Levy and collect taxes.

First.—To annually levy and collect taxes, not exceeding seven and a-half mills on the dollar, on the assessed value of all the real and personal estate in the city, made taxable by the laws of this state, to defray the contingent expenses of the city not herein otherwise specially provided for; which taxes shall constitute the general fund.

Second.—To annually levy and collect a tax, not exceeding six mills on the dollar, on all taxable real and personal estate in township eight (8) north, range eight (8) east, in Peoria county, made taxable by the laws of this state, to meet the expense of repairing school houses and supporting and maintaining schools. Tax for repairing school houses.

Third.—To annually levy and collect a tax, not exceeding six mills on the dollar, on all real and personal estate in the city of Peoria, made taxable by the laws of this state, to pay the interest accruing on the bonds issued for railroad purposes, and provide a sinking fund for the retirement of said bonds. Interest on city bonds.

Fourth.—To annually levy and collect a tax, not exceeding two mills on the dollar, on all real and personal estate in said city made taxable by the laws of this state, for the purpose of paying the interest on bonds now or hereafter to be issued for the purpose of enabling the board of school inspectors to provide additional school houses and grounds, and provide a sinking fund for the retirement of said bonds. Additional school houses.

Fifth.—To annually levy and collect a tax, not exceeding seven mills on the dollar, on all real and personal estate in township eight (8) north, range eight (8) east, in Peoria county, made taxable by the laws of this state, for the purpose of paying the interest on bonds issued for the purpose of encouraging enlistments in said township, and to provide a sinking fund for the retirement of said bonds. Sinking fund.

Sixth.—To annually levy and collect a tax, not exceeding five mills on the dollar, on the assessed value of all real and personal estate in the city of Peoria, made taxable by the laws of this state, to pay the interest on bonds issued for the construction of waterworks in said city, and provide a sinking fund for the liquidation of said bonds. Interest on water works bonds

§ 2. The provision heretofore in force empowering the city council to require every male inhabitant in said city, over twenty-one years of age, to labor on the streets, lanes, avenues and alleys, not exceeding three days in each year, or upon failure to perform such labor, when notified, to forfeit and pay the sum of one dollar per day for each day so neglected or refused, is hereby abolished. Inhabitants required to labor on streets and alleys.

§ 3. All improvements on any school lands or lots in said city, together with the interest of the lessees or occupants in the premises, whether by lease, covenant or deed, shall be subject to taxation as real estate, and the personal property of the owner of such improvements shall be liable for such taxes; and upon a failure to pay the same, the collector may levy upon and sell the goods and chattels of such occupant or lessee, for the payment thereof and costs; and in case such lessee or occupant shall have no personal estate, and neglect to pay the taxes, the interest of such lessee or occupant in such premises, together with the improvements, may be sold as real estate: *Provided*, the pur- Improvements on school lands to be taxed.

chaser shall acquire no greater rights in the land than the the tenant or occupant thereof had, but shall take the same subject to all the covenants and agreements in relation thereto.

Money loaned
to be taxed.

§ 4. Where money is loaned within the city, owned by any person or persons not residing in the city, all taxes levied by authority of this act may be assessed to and collected of the agent or agents of the person or persons for whom the money was loaned.

CHAPTER VIII.

COLLECTION OF TAXES AND ASSESSMENTS.

City divided in-
to assessment
districts.

SECTION 1. The city council may divide the city into as many and such convenient assessment districts, not exceeding three, as they may deem expedient, which shall be known and designated numerically.

Assessor.
Duties of.

§ 2. The assessor or assessors shall, immediately after his or their appointment, in each year, proceed to examine and determine the valuation of the taxable real estate and personal property in the city and township of Peoria. A list or lists of all the real estate in said city and township shall be furnished by the city clerk, to aid him or them in the performance of his or their duties, upon which he or they shall enter their valuations. Said appraisal, together with his or their appraisal of all the personal estate taxable in said city and township, shall be completed and filed in the office of the city clerk on or before the first day of May, in each year, unless further time shall be granted by the city council; and when so completed and filed, the board of equalization, hereinafter provided, shall fix a day for hearing objections thereto; and the city clerk shall give notice of the time and place of such hearing, by six days' publication in the newspaper publishing the ordinances of said city. Any person feeling aggrieved by the assessment of his or her property, may appear at the time and place specified and make his or her objections.

Appointment of
board of equal-
ization.

§ 3. The city council, at its first meeting after the filing of said list or lists, shall appoint a committee of one alderman from each ward of said city, who, together with the assessor or assessors, and city clerk, shall constitute a board of equalization; and said board shall meet at the time and place designated, to revise and correct said assessment. They shall hear and consider all objections which may be made, and shall have power to supply omissions in said assessment, and, for the purpose of equalizing the same, to alter, add to, take from, and otherwise revise and correct the same. Said board may adjourn from day to day, until their revision shall have been completed: *Provided*, said revision shall not occupy a longer period than fifteen days from the day fixed in the notice given by the city clerk for

the meeting of said board. A majority of said board shall constitute a quorum.

§ 4. Whenever said board shall have completed their revision of said list or lists, they shall return the same to the city clerk; and the city council shall, at their first meeting after such revision and return, approve said list or lists, and thereafter no change, amendment, abatement or alteration shall be made to said list or lists, nor shall any tax, or portion thereof, be refunded. Return of assessment lists.

§ 5. When the city council shall have approved said list or lists, the city clerk shall enter, in a book to be prepared for that purpose, a complete list of all the taxable real estate in said city and township, according to the assessment list or lists, as returned by said assessor or assessors, and revised by the board of equalization, and approved by the city council, showing, in a proper column, to be ruled for that purpose, the names of the different owners, so far as known to said assessor or assessors, and in another column the amount of valuation made in each case. Said book shall also have ruled therein an appropriate column for extending or inserting the amount of taxes which may be levied upon said property. Said book shall constitute the tax list of real estate for such year. The city clerk shall also enter in the same, or another book to be prepared for that purpose, a complete list of the taxable personal estate, as returned by said assessor or assessors, and revised by said board of equalization, and approved by the city council, showing, in the proper column, the names of the different persons whose property has been assessed, and in another column the valuations made by the assessor or assessors. Said book shall also have ruled therein appropriate columns for extending or inserting the amount of the taxes which may be levied thereon. Said book shall also constitute the personal tax list for such year. The clerk shall add up the valuation in each list, and the aggregate amount thereof shall be entered by him at the foot of the appropriate column, in the last page. When the said tax lists shall have been so completed, they shall be signed by the said assessor or assessors, and left in custody of the city clerk, and shall constitute the only record to be referred to in any case in which his or their assessment may be drawn in question. Approval of list by council.

§ 6. The city council shall thereupon, by an ordinance or resolution, levy such sum or sums of money as may be sufficient for the several purposes for which taxes are herein authorized to be levied, (not exceeding the authorized percentage,) particularly specifying the purpose for which the same are levied. Special assessment.

§ 7. It shall be the duty of the city clerk to estimate the several taxes levied by the city council, computing them together as one tax, and to insert the total amount of Duty of clerk.

such taxes in the appropriate column of the several tax lists, opposite to the person or property chargeable therewith. When completed, the city clerk shall attach to each of said tax lists a warrant, under the corporate seal, to be signed by the mayor and city clerk, directed to the collector, commanding him to make, levy and collect, as the taxes for such year, the several sums of money set opposite to the real and personal estate or persons in said tax lists mentioned or described, of the goods and chattels of the respective owners of such real or personal estate; which warrant shall also designate the names and rates of the several taxes included therein.

Collector.
Duties of.

§ 8. Said tax lists, with the warrants attached, shall be delivered to the collector by the clerk, on or before the fifteenth day of July in each year, and shall constitute the only process necessary to be issued for the collection of annual taxes. The clerk shall take a receipt from the collector for the said tax lists, specifying the amount of taxes levied in each list.

Confirmation of
assessment rolls

§ 9. When any special assessment shall have been confirmed by the city council, (and no right of appeal therefrom is given by this act,) it shall be the duty of the city clerk to issue a warrant for the collection thereof, which shall be under the corporate seal, and signed by the mayor and city clerk, and shall contain a copy of the assessment roll, as confirmed by the city council, or so much thereof as describes the real estate assessed, and the amount of the assessment in each case. If the right of appeal from the order of confirmation should exist in any case, said warrant shall not be issued until the expiration of the time limited for the taking of such appeal: and if, in any case, an appeal should be actually taken, the issuing of the warrant shall be delayed until after the determination of such appeal.

Warrants for
collection of
taxes.

§ 10. All warrants issued for the collection of special assessments shall be delivered by the clerk to the collector, taking his receipt therefor, in the manner prescribed in the case of warrants for the collection of the annual taxes.

Collection of
taxes.

Notice of.

§ 11. Upon the receipt of any warrant for the collection of the annual taxes, or any special assessments, the collector shall forthwith give notice, by ten days' publication in the newspaper publishing the ordinances of said city, that such warrant is in his hands for collection, briefly describing its nature, and requesting all persons interested to make immediate payment at his office; and that, in default thereof, the same will be collected at the cost and expense of the persons liable for the payment of such taxes or assessments. Immediately after receiving the personal property tax list, he shall notify all persons, through the postoffice, of the amount of their personal property tax. In the notice to be published in said newspaper, he shall notify all parties interested that, after the expiration of

sixty days from the date of receiving said list, he will levy upon the personal property of all who shall have failed to pay; and at the end of the sixty days, or as soon thereafter as may be, he shall so levy, if property belonging to such delinquent person can be found; and he shall be liable for their tax, in case of neglecting to do so. If no property can be found, this tax shall be a lien upon any property they may thereafter acquire, until paid; and the collector, and his successor in office, may at any time thereafter levy for the same. But nothing in this section contained shall be so construed as to prevent the collector from levying at any time after the publication of the ten days' notice above required.

Personal property taken.

§ 12. All taxes levied by the city council under this act shall be a lien upon the real estate on which the same may be imposed, and said lien shall continue until such taxes are paid. Every person owning real property on the first day of May, including all such property purchased on that day, shall be liable for the taxes thereon for that year. The city taxes shall also be a lien on the personal property of all persons owing taxes from and after the first day of May in each year, and no sale or transfer of said property shall affect the lien; but the said property may be seized by the collector wherever found, and removed if necessary, and sold to discharge the taxes of the person owing the same; and the same proceedings may be resorted to by the collector upon any warrant issued for the collection of a special assessment.

Taxes due a lien

§ 13. If from any cause the taxes charged in the real estate tax list shall not be collected or paid on the lands or lots described therein, on or before the first day of October ensuing the date of the warrant, it shall be the duty of the collector to demand and collect, for the use of said city, in addition to the taxes remaining unpaid, five per cent. damages thereon in every case. And if the assessments charged in any special assessment warrant shall not be paid in thirty days after the first publication of notice by the collector that he has secured such warrant for collection, the assessments then remaining unpaid shall be collected, with damages at the rate of one per cent. thereon for each and every month thereafter, until the same shall be paid.

Non-payment of taxes.

§ 14. It shall be the duty of the collector, between the fifteenth day of October and the last day of November in each year, to make a report to the county court of Peoria county, or any court of general jurisdiction held in said city, at any special or general term thereof, of all the taxes and assessments then remaining unpaid upon the real estate tax list, and all special assessment warrants which were delivered to him on or before the first day of the preceding August, asking for judgment against the several lots and parcels of land or other property described in such list or

Collector to make report.

warrants, for the amount of taxes, assessments, damages and costs, respectively, due thereon. The collector shall give notice, by six days' publication thereof—the first day's publication of which shall be at least thirty days before the day upon which judgment is prayed for—in the newspaper publishing the ordinances of said city, of his intended application for judgment; which shall briefly specify the nature of the respective warrants upon which such application is to be made, and request all persons interested to attend at such term. The advertisement so published shall be deemed and taken to be sufficient and legal notice of the aforesaid intended application by the collector to such court for judgment, and shall be held a sufficient demand and refusal to pay said taxes and assessments.

Certificate of
publication.

§ 15. The collector shall obtain a copy of the advertisement or advertisements, referred to in the preceding section, together with a certificate of the due publication thereof, from the printer or publisher of the newspaper in which the same was published, and shall file the same with the clerk of such court at the said term with the said reports. The clerk of said court, upon the filing of such reports by the collector, shall receive and preserve the same, and shall record thereon all judgments, orders and other proceedings of said court in relation thereto. Each of said reports shall constitute a separate suit, and shall be docketed by the clerk in the following form, as nearly as may be, to-wit: "City of Peoria vs. —, and others. Suit for taxes." Or, if it be an assessment for some specified improvement, in manner following: "City of Peoria, vs. —, and others. Suit for assessment on warrant for —." Or in such other manner as will sufficiently indicate the nature of the improvement for which the assessment is due.

Form of writ.

Judgments.

§ 16. It shall be the duty of the court, upon the filing of said reports, to proceed immediately to the hearing of the same, and they shall have priority over all other causes pending in said court. The said court shall pronounce judgment against the several lots and parcels of land or other property described in said reports, for which no objection shall be filed, for the amount of the tax or assessment, damages and costs, due severally thereon. The owner of any property described in said reports, or any person beneficially interested therein, may appear at said court, at the time designated in the collector's notice, and file objections, in writing, to the recovery of judgment against such property; but no objection shall be sustained founded on any mere formal irregularity or defect. The court shall hear and determine all objections in a summary way, without pleadings, and shall dispose of the same with as little delay as possible, consistently with the demands of public justice; but should justice require that, for any cause, the suit as to one or more owners should be delayed for more than twenty

days, judgment shall then be rendered as to the other property and lands, and process shall issue for the sale thereof as in all other cases.

§ 17. In all cases where judgment shall be rendered by default, against the property described in said reports, the court shall thereupon direct said clerk to make out and enter an order for the sale of the same; which said order shall be substantially in the following form: "Whereas, due notice has been given of the intended application for a judgment against said lands and other property, and no owner hath appeared to make defense or show cause why judgment should not be rendered against the said lands and other property, for the taxes (or assessments as the case may be), damages and costs due and unpaid thereon: therefore, it is considered by the court that judgment be and is hereby entered against the aforesaid lots and parcels of land and other property, in favor of the city of Peoria, for the sum annexed to each lot and parcel of land or other property, being the amount of taxes (or assessment), damages and costs due severally thereon. And it is ordered by the court that the several lots and parcels of land or other property, or so much thereof as shall be sufficient, of each of them, to satisfy the amount of the taxes (or assessment), damages and costs annexed to them, severally, be sold as the law directs." In all cases where a defense shall be interposed and judgment shall be rendered against the property, a similar order, adapted to the circumstances of the case, shall be made out and entered of record. The clerk of the court in which judgment is rendered, for entering the report of the collector on the record of said court and furnishing the copy of the report after judgment; the collector, for making out report of delinquent property to the court, and selling; the city clerk, for attending sale and issuing certificates; and the printer, for publishing notices and publishing delinquent list for sale—shall be allowed such compensation or fees, per lot, as the city council may, by ordinance, allow—to be taxed as costs and included in the judgment entered up by the court against each lot, part of lot, and tract of land: *Provided*, that such costs shall not exceed, in the aggregate, sixty cents against each lot, part of lot or tract of land.

§ 18. It shall be the duty of the clerk of such court, within ten days after such order is granted, as aforesaid, to make out, under the seal of said court, a copy of so much of said collector's report in such case as gives a description of the land or other property against which judgment shall have been rendered, and the amount of such judgment, together with the order of the court therein; which shall constitute the process on which all lands, lots, sub-lots, pieces and parcels of land or other property shall be sold for the amount of any taxes, assessments, damages and costs so

Court may
order sale of
real estate.

Form of order.

Defense made.

Duties of the
clerk of court.

levied, assessed or charged upon them; and the said city collector is hereby expressly authorized and empowered to make sale of such land, lots, pieces or parcels of land or other property, upon ten days' notice, to be published at least three times in some newspaper printed in said city.

Delinquent list
of real estate.

§ 19. The said advertisement, so to be published, in each case of a judgment upon any special or general collection warrant and report, as aforesaid, shall contain a list of the delinquent lots and parcels of land or other property to be sold, the names of the owners, if known, the amount of the judgments rendered thereon, respectively, and the warrant upon which the same was rendered, the court which pronounced the judgment, and a notice that the same will be exposed to public sale at a time and place to be named in said advertisement by said collector. The omission of the name of any owner, or any mistake respecting the same, shall not invalidate the sale, if the property be otherwise described with sufficient certainty. The proceedings may be stopped at any time, upon payment of said judgment to the collector.

Describing prop-
erty.

§ 20. In all proceedings and advertisements for the collection of such taxes and assessments, and the sale of lands therefor, letters and figures may be used to denote lots, sub-lots, lands and blocks, sections, townships, ranges and parts thereof, the year and the amounts.

Manner of sale.

§ 21. The sale shall be made for the smallest portion of ground (to be taken from the right-hand side of the premises, standing facing the same in front thereof—and the narrowest portion of said premises fronting on any street or alley, when it is in the rear of a street, shall be considered the front thereof) for which any person will take the same and pay the amount of judgment thereon. The city clerk shall attend all sales for taxes, in pursuance hereof, and keep a correct list upon the record or precept furnished the collector by the clerk of the court, as provided in section 18 of this chapter, of the lots, fractional lots, subdivisions of lots and tracts of land sold for taxes, with the name of the purchaser thereof and quantity sold. Certificates of sale shall be made and subscribed by the clerk, and countersigned by the collector, which shall be delivered to the purchaser; which certificates shall contain the name of the purchaser, a description of the premises sold, the amount of tax or assessment, with the amount of the judgment, for which the same was sold, and the time when the right to redeem will expire. The collector shall continue such sale from day to day until all the lots or parcels of land, or other property contained in his precept on which judgment remains unpaid, shall be sold or offered for sale.

Purchasers of
lots to make
prompt payment

§ 22. The person purchasing any lot or parcel of land, or other property, shall forthwith pay to the collector the amount of the judgment due thereon, and on failure so to

do the said property shall be again offered for sale, in the same manner as if no such sale had been made; and in no case shall the sale be closed until the payment shall have been made. If no bid shall be made for any parcel of land or other property, the same shall be struck off to the city; and thereupon the city shall receive, in its corporate name, a certificate of the sale thereof, and shall be vested with the same rights as other purchasers at such sales.

§ 23. The collector shall make return of his precept to the court from which the same was issued. A record of all sales made by the collector shall be filed, by him, in the office of the city clerk, to be there kept by him; which record shall be open to the public inspection at all reasonable times; and said record, or copies thereof certified by said clerk, shall be deemed a sufficient evidence to prove the sale of any land or other property for taxes or assessments, or any other fact authorized to be recorded therein.

Record of sales
filed with city
clerk.

§ 24. The right of redemption, in all cases, for taxes or assessments, shall exist to the owner, his heirs, creditors or assigns, to the same extent as is allowed by law in the case of sales of real estate for taxes, on the payment, in lawful money of the United States, of double the amount for which the same was sold, and all taxes accruing subsequent to the sale, with interest at the rate of ten per cent. per annum thereon. If the real estate of any infant, *femme covert* or lunatic be sold, under this act, the same may be redeemed at any time within one year after such disability may be removed. Redemption shall be made by the payment of the amount of redemption money to the treasurer and taking his receipt therefor and filing the same in the office of said clerk, who shall, thereupon, note the fact of said redemption upon his record of sales, and issue to such person so redeeming a certificate of such redemption, under the seal of said city; or, if any person holding a certificate of sale may surrender the same to the clerk to be canceled, the fact shall, in like manner, be noted upon said record. Upon the return of the certificate, or proof of its loss, and the filing with the clerk of the affidavit required by the constitution of this state, if the property shall not have been redeemed according to law, a deed shall be executed to the purchaser or his assignee, under the corporate seal, signed by the mayor and clerk, conveying to such purchaser or assignee the premises so sold and unredeemed, as aforesaid. A memorandum of all deeds so made and delivered shall be entered by the clerk in the book wherein tax sales are recorded, and a fee of one dollar may be charged by the clerk for every deed so issued.

Right of redemption of the
lands sold for
taxes.

Owner a minor
or lunatic.

If not redeemed

Tax deeds.

§ 25. Such certificates of purchase shall be assignable by indorsement, and an assignment thereof shall vest in the assignee or his legal representatives all the right and title of the original purchaser.

Certificate of
purchase.

When property
not subject to
taxation.

§ 26. Whenever it shall appear to the satisfaction of the clerk, before the execution of a deed for any property sold for taxes, that such property was not subject to taxation, or that the taxes had been paid previous to the sale, he shall make an entry opposite to such property, on his record of sales, that the same was sold in error; and such entry shall be evidence of the fact therein stated; and the provision shall apply, so far as the same is applicable, to all sales for special assessments.

Deeds prima
facie evidence.

§ 27. All deeds made to purchasers of lots, lands or other property sold for taxes or assessments, shall be *prima facie* evidence, in all controversies and suits in relation to the right of the purchaser, his or her heirs or assigns, to the premises thereby conveyed, of the following facts:

Advertisement.

First—That the land or lot conveyed was subject to taxation or assessment at the time the same was advertised for sale, and had been listed and assessed in the time and manner required by law.

Taxes not paid.

Second—That the taxes or assessments were not paid at any time before the sale.

Not redeemed.

Third—That the lot or land conveyed had not been redeemed from the sale at the date of the deed.

Advertised.

And shall be conclusive evidence of the following facts:

First—That the land or lot was advertised for sale in the manner and for the length of time required by law.

Sale of land.

Second—That the land or lot was sold for taxes or assessments, as stated in the deed.

Deed.

Third—That the grantee in the deed was the purchaser.

Sale, how con-
ducted.

Fourth—That the sale was conducted as is required by law.

Title.

And in all controversies and suits involving the title to the lot or land claimed and held under and by virtue of such deed, the person or persons claiming title adverse to the title conveyed by such deed shall be required to prove, in order to defeat the said title, either that the land or lot was not subject to taxation at the date of sale, that the taxes or assessments had been paid, that the land or lot had never been listed and assessed for taxation or assessment, or that the same had been redeemed according to the provisions of this act, and that such redemption was made for the use and benefit of the persons having the right of redemption under the laws of this state; but no person shall be permitted to question the title acquired by the said deed, without first showing that he, she or they, or the person under whom he, she or they claim title, had title to the land or lot at the time of the sale, or that the title was obtained from the United States or this state after the sale, and that all taxes due upon the lot or land have been paid by such persons or the person under whom he claims title, as aforesaid. And no deed of land or other property sold for the non-payment of taxes or assessments

shall be questioned in any suit or controversy, unless the person wishing to contest the same shall have tendered or deposited the amount of the redemption money and interest, as now provided by the laws of this state in case of sale of real estate for taxes.

§ 28. Any change made in the incumbent of the office of the collector, during the pendency of any such proceedings, shall not operate to affect or delay the same, but the successor or successors in office of such collector shall be authorized to do all acts necessary to complete such proceedings, the same as if his predecessors had continued in office. Change of incumbent not to affect proceedings.

§ 29. All sales of property for the non-payment of taxes or assessments for any improvement, of what kind soever, shall be held at the same time with the general sale of property for non-payment of city taxes, in each year, unless, in particular cases, said sale is stayed or delayed by examination or process of law—the intent hereof being that there shall be but one general collection, by sale, of all taxes and assessments whatsoever, in each and every year—which sale shall take place in the manner hereintofore provided, and at the same time in each and every year: *Provided*, that in all cases where judgment shall be delayed in consequence of any appeal or the delay of any court in rendering its decision, such sales may be made at any time after final judgment shall have been rendered, upon notice given as in other cases. Proceedings in non-payment of taxes.

§ 30. Any assessor, collector or other officer who shall, in any case, refuse or knowingly neglect to perform any duty enjoined upon him by this chapter, or who shall consent to or connive at any evasion of its provisions, whereby any proceeding required by this chapter shall be prevented or hindered, shall, for every such neglect or refusal, be liable to said city, individually and upon his official bond, for double the amount of loss or damage caused by such neglect or refusal, to be recovered in an action of debt, in any court having jurisdiction of the amount thereof. Penalty for neglect of duty.

§ 31. No assessment of property or charge for taxes or assessments thereon shall be considered illegal on account of any irregularity or informality in the tax lists or assessment rolls, or on account of the assessment rolls or tax list not being made, completed or returned within the time required by law, or on account of the property having been charged or listed in the assessment or tax list without name, or in any other name than that of the rightful owner; and no error or informality in the proceedings of any of the officers intrusted with the levying and collection of taxes or special assessments, not affecting the substantial justice of the tax or assessment itself, shall vitiate or in any way affect the tax or assessment. When tax lists are illegal.

When purchaser not entitled to deed.

§ 32. If any purchaser of lands, lots or other property sold for city taxes or assessments shall suffer the same to be again sold, for like taxes or assessments, before the expiration of two years from the date of his or her purchase, such purchaser shall not be entitled to a deed for the property until the expiration of two years from the date of the second sale, during which time the land, lot or other property shall be subject to redemption; and the person redeeming shall only be required to pay, for the use of the purchaser at the first sale, the amount paid for the property, and double the amount paid by the second purchaser, for his use, as in other cases.

Tax for municipal purposes.

§ 33. All personal property, of every nature and kind, having its actual sites within the city, shall be assessed for municipal purposes, whether the owner resides in the city or not. This provision to extend to and include the proportion of the rolling stock of all railroad or railway companies as run cars or trains into the city, whether the road-bed or track be owned by them or not; such proportion to be ascertained and apportioned in accordance with the statute regulating the assessment of the rolling stock of railroad companies.

State law to apply to assessments.

§ 34. The state laws for the assessment of all taxable real and personal property, now in force or that may hereafter be adopted, unless in conflict with this chapter, shall apply and govern in making municipal assessments. Personal property shall be listed for municipal purposes with reference to the quantity on hand and owned on the first day of May in the year for which the property is required to be listed, including the property purchased on that day.

Capital invested in business to be returned by owner.

§ 35. When any person shall commence merchandizing in said city after the first day of May in any year, the average value of whose personal property employed in merchandizing shall not have been previously entered on the assessors list for taxation in said city, it shall be the duty of such person to make out a sworn statement of the probable average value of the personal property by him intended to be employed in such business until the first day of January thereafter, and deliver the same to the city clerk, who shall enter the same on the tax list; and such person or persons shall pay to the collector of said city a sum which shall bear the same proportion to the levy for all purposes, on the average value so employed, as the time from the day on which he shall commence merchandizing, aforesaid, to the first day of January next succeeding, shall bear to one year.

Insurance and banking business, to make estimate of capital.

§ 36. When any person, firm or corporation shall commence or engage in the business of insurance, banking, dealing in stocks of any description, or in buying and selling any kind of bills of exchange, checks, drafts, bank notes, promissory notes or other kind of writing obligatory, or in any other business

whatever, after the first day of May in any year, the average value of whose personal property so employed in such business shall not have been so entered on the assessor's list for taxation in said city, it shall be the duty of such person or firm, or such corporation, by its president, secretary or principal accounting officer, to make a sworn statement and deliver the same to the city clerk, giving fully the probable average value of the property, by him, them or it, intended to be employed in such business until the first day of January thereafter; which amount shall be entered on the tax list and the tax collected as in other cases.

§ 37. Should any person, firm or corporation fail or neglect to make out sworn statements of their property, as required by the two preceding sections, and report the same to the city clerk or assessor, it shall be the duty of the assessor to assess them as therein required, as nearly as may be, adding thereto ten per cent. in addition to the existing provision of law. Neglect to report.

CHAPTER IX.

POLICE DEPARTMENT.

SECTION 1. The police force of said city shall consist of one superintendent of police, and such other number of day and night police officers and men, special or otherwise, as the said city council shall, from time to time, direct. Appointment of police.

§ 2. The mayor of the city, by and with the advice and consent of the city council, shall have power and authority and it is hereby made his duty to appoint the superintendent of police officers and men mentioned in the foregoing section, with powers to remove the same from office whenever, in his opinion, the interests of said city require such removal, and appoint others in their places, who shall hold until the next regular meeting of the council, when, if their appointment be not confirmed, other appointments shall be made, subject to the approval of the city council, as aforesaid. All officers appointed under this section shall hold their respective offices at the pleasure of the mayor; but no new appointments shall be made except as hereinafter provided. Superintendent of police.

§ 3. The duties of the police force shall be executed under the direction and control of the mayor, and according to the rules and regulations which the city council may, from time to time, pass for the proper government and discipline of said police force of said city. Duty of police.

§ 4. The members of the police force of said city of Peoria shall possess in every part of the city of Peoria all the common law and statutory powers of constables, except by service of civil process, and make arrests without warrant for violation of the ordinances of said city; and any warrant, for search or arrest, by any magistrate of the state Jurisdiction of police.

of Illinois, may be executed in any part of the city of Peoria by any member of the police force of the said city of Peoria, without any backing or indorsement of said warrant, and according to the terms thereof. The members of said police force may also serve or execute any criminal process issued by the police court of said city, or either of the justices thereof, in the county of Peoria and state of Illinois.

Compensation.

§ 5. The city council of said city shall have power, by ordinance, to establish, provide for and regulate the compensation, as also the duties and obligations, of the said police force of said city, and each and every member thereof.

Remission of fines.

§ 6. Neither the mayor or city council shall remit any fine or penalty imposed upon any person for violating the laws or ordinances of said city, unless two-thirds of all the aldermen authorized to be elected shall vote for such release or remission; but the mayor shall be authorized, in his discretion, to release from imprisonment any person committed to the bridewell or house of correction, or other city prison, for a violation of the ordinances of said city, by virtue of the judgment of said police court.

CHAPTER X.

FIRE DEPARTMENT.

Provide for extinguishment of fires.

SECTION 1. The city council, for the purpose of guarding against the calamities of fire, shall have power to prescribe the limits within which wooden buildings shall not be erected or placed or repaired, without permisison, and to direct that all and any buildings within the limits prescribed, shall be made or constructed of fire-proof materials, and to prohibit the repairing of wooden buildings within the fire limits, when the same shall have been damaged to the extent of fifty per cent. of the value thereof, and to prescribe the manner of ascertaining such damage.

§ 2. The city council shall have power—

Chimneys and flues.

First.—To prevent the dangerous construction and condition of chimneys, fire-places, hearths, stoves, stove pipes, ovens, boilers, and apparatus used in and about any building and manufactory, and to cause the same to be removed or placed in a safe condition, when considered dangerous.

Ashes.

Second.—To prevent the deposit of ashes in unsafe places, and to cause all such buildings and inclosures as may be in a dangerous state, to be put in a safe condition.

Manufactories.

Third.—To regulate and prevent the carrying on of manufactories dangerous in causing and promoting fires.

Fire works.

Fourth.—To regulate and prevent the use of fire works and fire arms.

Scuttles, etc.

Fifth.—To compel the owners or occupants of houses and other buildings to have scuttles in the roofs, and stairs or ladders leading to the same.

Sixth.—To regulate and order the construction of parapet, Walls, fences. party or division walls and fences.

Seventh.—To authorize the mayor, aldermen, police or other officers of said city to keep away from the vicinity of any fire all idle and suspicious persons; to aid in the extinguishment of fires, and in the preservation of property exposed to danger thereat. Regulate conduct of persons at fires.

Eighth.—And, generally, to establish such regulations for the prevention and extinguishment of fires as the city council may deem expedient. Extinguishment of fires.

§ 3. The city council may procure fire engines and other apparatus used for the extinguishment of fires, and have the charge and control of the same, and provide fit and secure engine houses and other places for keeping and preserving the same; and shall have power— Engines.

First.—To organize fire, hose, hook and ladder and ax companies. Hook and ladder companies.

Second.—To provide for the appointment of a competent number of able and reputable inhabitants of said city, firemen, to take the care and management of the engines and other apparatus and implements used and provided for the extinguishment of fires. Firemen.

Third.—To prescribe the duties of firemen, and their compensation, and to make rules and regulations for their government, and to impose reasonable fines and forfeitures on them for a violation of the same; and for incapacity, neglect of duty, or misconduct, to remove them. Duty of firemen.

§ 4. The city council shall have power, in its discretion, to appoint a fire marshal, and define his duties and powers. The city council may devolve the duties and powers of said marshal upon the chief engineer. Fire-marshal.

§ 5. The members of the city council and firemen shall, during their term of service as such, be exempt from serving on juries in all courts of this state and in the militia. The name of each fireman shall be registered with the city clerk, and the evidence to entitle him to the exemption provided in this section, shall be the certificate of the clerk, countersigned by the mayor, made within the year in which the exemption is claimed. Exempt from jury duty.

§ 6. Every fireman who shall have faithfully served as such in said city for the term of seven years, shall be exempt thereafter from serving on juries in the courts of this state, or in the militia, except in time of war, invasion or insurrection, and the evidence to entitle such person to such exemption shall be a diploma, under the corporate seal, signed by the mayor and clerk. Privileges of firemen.

CHAPTER XI.

BOARD OF HEALTH.

Board of health. SECTION 1. The board of health shall consist of three or more commissioners, to be appointed annually by the city council; and the mayor, or presiding officer of the city council, shall be president of the board, and the city clerk shall be their clerk and keep minutes of its proceedings.

Duty of health officers. § 2. It shall be the duty of health officers to visit every sick person who may be reported to them as hereinafter provided, and to report with all convenient speed their opinion of the sickness of such person to the clerk of the board, and to visit and inspect all houses or places in which they may suspect any person to be confined with any pestilential or infectious disease, or to contain unsound provisions or damaged or putrid animal or vegetable matter, or other unwholesome articles, and to make report of the state of the same, with all convenient speed, to the clerk of the board, and the clerk shall, upon receiving said report, forthwith call a meeting of the board.

Infected and diseased persons to be removed. § 3. All persons in the city, not residents thereof, who may be infected with any pestilential or infectious disease, or all things which, in the opinion of the board, shall be infected by or tainted with pestilential matter, and ought to be removed, so as not to endanger the health of the city, shall, by order of said board, be removed to some proper place, not exceeding five miles beyond the limits of the city, to be provided by the board, at the expense of the person to be removed, if able; and the board may order any furniture or wearing apparel to be destroyed, whenever they may deem it necessary for the health of the city, by making just compensation.

Quarantine regulations. § 4. In case any boat or other vessel shall come or be within the harbor or jurisdiction of the city, and said board shall believe that such boat or other vessel or water craft is dangerous to the inhabitants of said city, in consequence of her bringing and spreading any pestilential or infectious disease among said inhabitants, or have just cause to suspect or believe that if said boat or other vessel or water craft whatever is suffered to remain within the harbor or jurisdiction aforesaid, it will be the cause of spreading among the said inhabitants any pestilential or infectious disease, it shall and may be lawful for the said board of health, by an order, in writing, signed by the president for the time being, to order such boat or other vessel or water craft to be forthwith removed to any distance, not exceeding five miles beyond the bounds of said city. After the delivery of such order to the owner, consignee, or any other person in charge of said boat or other vessel or water craft, to quar-

antine, under such regulations and for such time as the city council may prescribe, and if the master, owner, consignee, or the person to whom such order shall be delivered, shall neglect or refuse to comply therewith, or if, after such removal, such master, owner, consignee, or other person, shall neglect or refuse to obey the regulations which may be prescribed, the said president may enforce such removal or other regulations in such manner as the city council may, by ordinance, direct; and such master, owner, consignee, or other person, shall be considered guilty of a misdemeanor, and, on conviction, shall be fined a sum not exceeding two hundred and fifty dollars, and imprisoned not exceeding six months in the jail of Peoria county, or in the city bridewell or house of confinement, by any court having cognizance thereof. The said fine shall be paid into the city treasury.

§ 5. The city council shall have power to prescribe the powers and duties of the board of health, except as herein provided, and punish, by fine and imprisonment, or both, any refusal or neglect to obey the orders and regulations of the board. Powers and duties of the board of health.

§ 6. The health officers may be authorized by the city council, when the public interest may require, to enter all houses and other places, private and public, at all times, in the discharge of any duty under this act or by ordinance. Cleanliness of the city.

§ 7. Every person practicing physic in the city, who shall have a patient laboring under any malignant, infectious or pestilential disease, shall forthwith make report thereof, in writing, to the clerk of the board, and for neglect to do so, shall be considered guilty of a misdemeanor, and liable to a fine of fifty dollars, to be sued for and recovered, with costs, in action of debt, in any court having cognizance thereof, or before a justice of the peace, for the use of the city. Duties of physicians.

§ 8. The city council shall have power, by ordinance, to give the board of health concurrent jurisdiction with the said city council to define and declare what shall be deemed nuisances, detrimental to the public health, and to authorize and direct the summary abatement thereof. Jurisdiction of board of health.

CHAPTER XII.

WATER WORKS.

SECTION 1. The city council of said city shall have power—

First.—To erect and construct water works, either within or without the corporate limits of said city, for the purpose of supplying the city of Peoria with a sufficient quantity of pure and wholesome water, to be taken from Lake Peoria or elsewhere, for the use of its inhabitants. Construction of water works.

Hydrants.

Second.—To construct reservoirs, jets, and public and private hydrants, and to lay pipes in and through all the streets, lanes, avenues, and highways of said city, and to construct fountains in the public squares or such other public grounds of said city as they shall deem expedient.

May purchase,
hold and convey
property.

Third.—To purchase, hold and convey any personal and real estate which may be necessary and proper to carry out the intention and object of this chapter.

Superintendent.

Fourth.—To appoint a superintendent of water works, and such other officers, agents or employers, as they may deem necessary, define their duties and fix their compensation.

Rules, etc.

Fifth.—To make all needful rules and regulations, concerning the use of water supplied by the water works of said city, and to do all acts and make such rules and regulations, for the construction, completion, management and control of the water works of said city, as the said council may deem necessary and expedient.

Make surveys.

§ 2. The said city council are hereby authorized to enter upon any land or water, within or without the corporate limits of said city, for the purpose of making surveys or constructing any of the works authorized by this chapter, and to agree with the owners of any property which may be required for the purposes of this chapter, as to the amount of compensation to be paid to such owners for the property so taken, or the amount of damages to be paid to such owner or owners by reason of the construction of any such works hereby authorized.

Property re-
quired for water
works, how ob-
tained.

§ 3. In case of disagreement between the city council and the owners of property which may, in the judgment of said city council, be required for any of the purposes specified in this chapter, as to the amount of compensation to be paid to such owners, or in case such owner shall be an infant, a married woman, or insane or absent from the state, or in case of disagreement between the said city council and any owner or owners of property touching the amount of damages arising from the construction of any part of the work hereby authorized, the said city council shall have the right to condemn said property, or to have the amount of such damages ascertained, or both, and the proceedings of the condemnation of such property, or the ascertainment of such damages, or both, shall conform as nearly as may be to those specified and provided in the act entitled "An act to amend the law condemning right of way for purposes of internal improvement," approved June 22, 1852, and the act or acts of which the same is an amendment.

Aqueducts.

§ 4. The city of Peoria shall have the power to construct such aqueducts along the shore of Lake Peoria, or elsewhere, or on the highways, or elsewhere, in said Peoria county, and to construct such pumping works, break waters, subsiding basins, filter beds, and reservoirs, and to lay such water mains and to make all other constructions, in said

county, as shall be necessary in obtaining from Lake Peoria, or elsewhere, a sufficient and abundant supply of pure water for said city.

§ 5. Said city shall have power to extend aqueducts or inlet pipes into Lake Peoria, so far as may be deemed necessary to insure a supply of pure water, and to erect a pier or piers on said lake, for the making, preserving and working of said pipes or aqueducts: *Provided*, that such piers shall not interfere with the navigation of said lake, and be furnished with a beacon light, which shall be lighted at all proper seasons and hours. Power to extend works.

§ 6. For such expenditures, pertaining to the supply of water to the said city, as are hereby authorized, the city council shall have power to borrow, from time to time, as they shall deem expedient, a sum of money not exceeding, five hundred thousand dollars, in all, and issue bonds of the city therefor, pledging the faith and credit of said city for the payment of the principal and interest of said bonds. The proceeds of said bonds, when sold, shall be deposited with the city treasurer, to the credit of the water fund, and appropriated to the objects and purposes pertaining to the water supply of said city, herein specified, nor shall the same, or any part thereof, be used by the said city for any other purpose. Expenditures.

§ 7. The said bonds shall bear interest at a rate not exceeding seven per cent. per annum—principal and interest payable in New York, and shall not be sold at a rate which will net less than their par value, unless the said city council of said city shall, by a vote of a majority of all the aldermen elected, authorize the same to be sold at a lower rate, and then only at such rate as shall be fixed by said council: *Provided, however*, that reasonable commissions to brokers or agents employed in procuring the sale or negotiation of said bonds may be paid. Issue of bonds.

§ 8. It shall be the duty of the clerk of said city to keep such a record of all bonds hereafter to be issued, for the water supply of said city, as shall, at all times, exhibit the number and amount of such bonds outstanding, the rate of interest, and when and where the principal and interest are payable. Record of bonds

§ 9. The said city council shall have power, from time to time, by ordinance, to provide for and assess and collect, as water rents or assessments, such amounts as they shall deem equitable, on any lots of land which shall abut or adjoin any street, avenue or alley in said city, through which the distributing pipes of the water works of said city are or may hereafter be laid, which shall have a building or buildings thereon, which can be conveniently supplied with water from said pipes. The said assessment shall be on the said lots and on the building or buildings thereon, whether the water from the water works of said Power to collect water rents.

city shall be used in such building or buildings, or on such lot, or not; and the said assessment shall be and become a continuing lien or charge upon all such lots or buildings situated thereon.

Separate ac-
counts kept.

§ 10. All accounts pertaining to the water works of said city shall be kept separate and distinct from the accounts pertaining to the other funds of said city; and all moneys deposited with the city treasurer, on account of the waterworks, shall be by him kept separate and distinct from all other moneys, as the water fund, and shall only be applied for the uses and purposes for which the same were received; and such money shall be held by the treasurer of the city as a special fund, separate and distinct from all other funds, and he shall be deemed guilty of embezzlement if he shall pay out such money for any account other than that belonging to such water fund, and shall be liable to indictment for so doing.

Penalty for In-
jury to works.

§ 11. If any person shall willfully do, or cause to be done, any act whereby any work, material or property whatever, constructed, provided or used within the city of Peoria, or elsewhere, for the purpose of procuring or keeping a supply of water, shall in any manner be injured, or if any person shall willfully pollute the water, such person shall be subject to indictment, and, upon conviction thereof, shall be punished by fine not exceeding one thousand dollars or imprisonment not exceeding six months, or both, in the discretion of the court; said fine to be paid into the city treasury, to the credit of the water fund.

CHAPTER XIII.

PUBLIC SCHOOLS, BOARD OF SCHOOL INSPECTORS.

Schools.

SECTION 1. There is hereby created a body politic and corporate, by the name and style of "The Board of School Inspectors of the City of Peoria," who shall have perpetual existence; and by said name shall sue and be sued, plead and be impleaded, in all courts and places where judicial proceedings are had; and may purchase, receive and hold real, personal and mixed estate, and may sell, lease and dispose of the same.

School inspec-
tors.

§ 2. The said board of school inspectors shall consist of the mayor of the city of Peoria and two members from each ward, (the election districts in the township of Peoria to be deemed, for school purposes, portions of the wards at which the voting for said districts is now or may hereafter be done,) who shall be residents of their respective wards, and who shall hold their offices, respectively, for two years, or until the election and qualification of their successors. They shall be divided into two classes, so that one-half shall be elected annually. The first class shall be elected on the first Tuesday after the first Monday of November,

1869, and every two years thereafter. The second class shall be elected on the first Tuesday after the first Monday of November, 1870, and every two years thereafter. The members of the board of school inspectors now in office shall hold over until the first Monday of January following the term for which they were elected, except those who were last elected, who shall go out of office as hereafter provided. All members of the board hereafter to be elected shall enter upon the duties of their office on the first Monday of January following their election, except those then elected in 1870 in the wards casting the lowest number of votes, who shall not enter upon the duties of their office until the first Monday in June, A. D. 1871.

§ 3. All following elections for school inspectors shall be held on the first Tuesday after the first Monday of November, each successive year, and shall be notified and called, and the poll-books opened and kept, the votes canvassed and the returns made along with and as part of the election for city officers of said city and county and state elections; and the same registry lists shall be used as in the municipal and state and county elections. The person receiving the highest number of votes for said offices, at said elections, shall be declared elected, and the city clerk, immediately upon the election and canvassing of the votes, shall notify the several persons so elected of their election; and a majority of the board shall constitute a quorum.

§ 4. The legal voters of the town of Peoria shall be entitled to vote at all elections for said inspectors held in pursuance of this chapter; and the votes of the legal voters residing out of the city of Peoria, but within the town of Peoria, shall be received at the places of voting in said city of Peoria as at present provided; and all vacancies occurring in said board, by death, removal from the wards, or otherwise, shall be filled by the legal voters aforesaid; and if the annual election provided for as aforesaid shall not be notified and held at the time specified in this chapter, it shall be, by the proper officer or officers, notified, called, held, canvassed and returned at some other time thereafter; and the persons so elected shall hold their respective offices for the term which they would have held if they had been elected at the regular election held at the usual time for that year.

§ 5. At the first regular meeting, in January of each year, or as soon thereafter as may be, the said board of school inspectors shall choose one of their own number as president of said board, and shall also appoint a secretary and treasurer, who may or may not be members of the board. The said secretary and treasurer shall hold their offices for one year and until their successors shall be respectively appointed and qualified. The secretary and treasurer shall be subject to removal, by a majority of all

the members of the board, and in each of said removals, or where a vacancy may occur in said offices by death, resignation, removal from the city, or otherwise, the board shall appoint a competent person to fill the vacancy.

Record of proceedings.

§ 6. The secretary shall keep a record of the proceedings of the board, in a book to be provided for that purpose, and shall do and perform such other duties, in relation to the schools and education in said city, as shall be required of him by the rules and regulations of the board, and shall be sworn to the faithful performance of his duties, and shall receive such compensation as the board may prescribe.

Duties of the treasurer.

§ 7. The treasurer shall receive all the moneys belonging to the school fund of the city of Peoria and other moneys under the control of said board, and shall keep a true and accurate account of all moneys received and paid out by him, for what purpose, and upon what and whose account, but he shall pay out no money, except upon the order of the board. For all moneys paid out he shall take and file with the papers of his office proper vouchers; he shall settle his accounts with the board once in each year, and oftener, if the board shall so require; he shall perform such other duties as the board may, by any rule or regulation, prescribe; he shall be sworn to the faithful discharge of his duties, and shall give a bond to the city of Peoria, with good and sufficient sureties, to be approved by the board of school inspectors, in such sum as said board shall determine, but to be, as nearly as can be ascertained, in double the amount of all moneys that may be in his hands at any one time during any one year, and conditioned for the faithful performance of his duties as such treasurer, and, especially, faithfully to keep, and, from time to time, pay over all moneys that he shall receive as such treasurer, as he shall be directed by the board or required by law; and for any breach of the conditions of said bond a suit shall be prosecuted for such breach or breaches against the treasurer and his securities, in the name of the city of Peoria, under the direction and supervision of said board of inspectors; and when any money shall be collected thereon, it shall be paid over as the board shall direct, to be used and appropriated as other money in the treasury; but if the default was for the non-payment or on account of the principal of the township school fund, it shall again become part of the principal of said fund.

Stated meetings

§ 8. The board of inspectors shall hold stated meetings, and the president or any two members of said board may call special meetings, by notice to each of the members of said board, served personally or left at his usual place of abode; and shall have power—

School houses;

First.—To erect, hire or purchase buildings, suitable for school houses, and keep the same in repair.

Second.—To buy or lease sites for school houses, with the School sites.
necessary grounds.

Third.—To furnish schools with what they shall deem Necessary fur-
necessary fixtures, furniture and apparatus. niture, etc.

Fourth.—To establish, support and maintain public Rate of taxation
schools for all the children of the city, and determine the
rate of taxation for school purposes in the manner herein-
after provided.

Fifth.—To fix the compensation of teachers, and estab- Compensation
lish rules respecting the qualifications and how the same to teachers.
shall be determined.

Sixth.—To prescribe school books to be used, and the School books.
studies to be taught in the different schools.

Seventh.—To lay off and divide the city into school dis- Divide districts.
tricts, and from time to time alter the same, or create new
ones, as circumstances may require.

Eighth.—To establish schools of different grades, and Persons who
such rules and regulations for the admission of pupils into may be admit-
the same, having regard to the ages and qualifications of ted to school.
such pupils.

Ninth.—To appoint such other officers, committees or Appointment
agents as they shall deem best and most conducive to the of officers.
well being of the schools, and of education in said city.

Tenth.—And generally to have and possess all the rights, Schools and
powers and authority necessary for the proper management funds.
of the schools and the fund belonging to the city for school
purposes, with power to make all such rules and ordinances
as may be necessary to carry their powers and duties into
effect, and perfect a good system of public instruction and
schools in said city.

§ 9. On the sale of any real estate made by said board, Purchase, hold
they may, by resolution to be entered on the minutes of and convey real
their proceedings, by the secretary of the board, authorize estate.
and empower the president of the board to convey such
real estate, by a good and sufficient deed, under his hand
and private seal, to the purchaser or purchasers thereof,
and such deed duly acknowledged by the president of the
board making the same, as other deeds of real estate are
required to be, by the laws of this state, then in force, con-
cerning conveyances by individuals, shall convey real estate
to and vest all the title and interest of said board of school
inspectors therein in the grantee or grantees in such deed
mentioned, their heirs and assigns forever, and the deeds of
conveyance executed by the president of said board and
duly acknowledged by him, shall be *prima facie* evidence
of his having been duly empowered by the said board to
make such conveyance.

§ 10. It shall be the duty of the board of inspectors to Annual reports.
make annual reports at the close of each school year, set-
ting forth therein the number of public schools in the city,
the number of scholars in each school, the several branches

of education pursued in each, the expenditure for each school, the compensation paid to teachers, the condition of the school houses, from what source funds have been received for school purposes, and what the condition of such funds, what are the accommodations furnished for the pupils, and making any other statement and suggestion that they shall deem proper to aid the cause of public schools and of education in the city. Said report shall be made to the city council, and the board shall also cause the said report or such parts thereof as they shall judge best, to be published in pamphlet form, or in some one or more newspapers published in said city.

No compensation to school board.

§ 11. No member of the board of inspectors shall receive any compensation for his attendance of the meetings of the board, nor for the performance of their ordinary duties, but for extraordinary services reasonable compensation may be allowed. The treasurer shall receive such compensation for receiving and disbursing money, as the board of inspectors shall prescribe.

City council to levy sum for current year.

§ 12. On or before the first Tuesday in August of each year, the board of inspectors shall determine the amount of money, which, in their opinion, will be required to be raised by taxation for the support of the public schools of the city the ensuing year, and notify the city council of the rate of tax to be levied and collected for that purpose, as provided by the second clause of chapter VII of this act, not exceeding the per centage authorized by said clause, and the amount so reported to the city council shall be levied and collected in the same manner and at the same time as other city taxes, and when collected shall be paid over to the treasurer of the board.

Expense of the schools.

§ 13. No school in said city, or the teacher or pupils thereof, shall receive any part of any school fund belonging to the state or township, or any money raised by taxation, that is not a public school, as provided by this act, and established and maintained under the authority and direction of the board of inspectors.

Teachers keep schedules.

§ 14. The several teachers of said public schools shall keep schedules of the pupils attending the schools, and of their attendance, etc., as is now required or may hereafter be required of teachers of public schools by law, and the said board of inspectors shall make returns and report to the state superintendent of public schools, on all such matters and things as is or shall be required by law, and the direction of such superintendent of any county or township officers, and shall make such other reports as township officers are or may be required to make by virtue of any law of this state.

School for colored children.

§ 15. The board of school inspectors may establish a school or schools for the people of color in said city, on such a basis and under such rules and regulations and re-

strictions as they shall deem just and proper, the expenditures for such schools to be, in no case, less than the amount of taxes paid by the colored population.

§ 16. The office of trustees of schools of township eight (8) north, range eight (8) east, in Peoria county, is hereby abolished, and the board of school inspectors of the city of Peoria shall succeed to all rights, powers and duties of said trustees; and the title to all real, personal and mixed property, heretofore vested in said trustees, shall vest in said board of school inspectors, with power to sell, lease and dispose of the same. The power to cause to be extended, levied and collected, taxes for the support of free schools, which is now or hereafter may be, by the general school laws of the state, vested in the trustees of schools, shall be and is hereby vested in said board of school inspectors. Office of trustees abolished.

§ 17. For the purpose of enabling the said board of school inspectors to provide additional school buildings in the city of Peoria, the city council of the city of Peoria are authorized to issue the bonds of said city, from time to time, signed by the mayor and countersigned by the clerk of said city, in such sums and payable at such times, not exceeding twenty years from their date, and at such place or places, with semi-annual interest coupons attached, as the said city council may deem proper: *Provided*, that the aggregate amount of such bonds to be issued, together with those heretofore issued and outstanding, for the purposes herein mentioned, shall not exceed, at any one time, one hundred and twenty-five thousand dollars. All of said bonds may be made payable in the city of Peoria, shall bear interest at a rate not exceeding eight per cent. per annum, and those payable in the city of New York, or elsewhere out of the city of Peoria, not exceeding seven per cent. per annum, payable semi-annually. The city council of the city of Peoria shall provide, by ordinance, for the issuing of said bonds, and the delivering of them to the president of the board of school inspectors of said city, and the proceeds thereof shall be, by said board, applied exclusively to the purpose of building, repairing, enlarging and furnishing school houses, and purchasing sites therefor in said city. May erect additional buildings.

§ 18. The tax which the city council is empowered to levy and collect in pursuance of clause fourth of chapter 7 of this act for the purpose of paying the interest and principal of bonds issued in pursuance of any previous acts, and now outstanding or which may hereafter be issued in pursuance of the foregoing section, shall, when collected, be paid into the city treasury and constitute a separate and distinct fund, specially pledged to the payment of the principal and interest of the aforesaid bonds. If there should be a surplus at any time, after paying the interest of said bonds or redemption of any bonds issued by virtue hereof, the city council may, in their discretion, order the purchase of Pay interest and principal.

any of said bonds, if they can be purchased upon satisfactory terms, or if no such bonds can be purchased, invest said surplus in United States securities.

Construction
of acts of gen-
eral assembly.

§ 19. Any act of the general assembly now in force or hereafter to be enacted, for creating and enacting a state system of public schools, shall not be construed in any manner to repeal, alter or change any of the provisions of this act, unless such act shall specifically provide for such repeal, alteration or change.

Vested property.

§ 20. All property, real, personal and mixed, belonging to or vested in the trustees of schools of township eight (8) north, range eight (8) east, and board of school inspectors of the city of Peoria, heretofore established by law, and all rights and claims, legal and equitable, existing in them, are hereby vested in the board of school inspectors of the city of Peoria, created by this act, to be had, held and enjoyed in as full and ample a manner as they were by the former corporation; and all rules, regulations and appointments now in force, made by the former corporation, and not inconsistent with this act, shall continue in force until changed, amended or annulled by the corporation hereby created, the latter corporation being, in all respects, the successor to the rights and duties of the former corporation.

An act repealed

§ 21. That an act entitled "An act to provide for schools in township eight (8) north, range eight (8) east, in Peoria county," approved March 6, 1867, be and the same is hereby repealed.

CHAPTER XIV.

MISCELLANEOUS PROVISIONS.

Publication of
ordinances.

SECTION 1. All ordinances passed by the city council shall, within thirty days after the passage thereof, be published at least once in some newspaper or newspapers published in said city; and proof of such publication, by the affidavit of the printer or publisher of said newspaper, taken before any officer authorized to administer oaths, and filed with the city clerk, or any other competent proof of such publication, shall be conclusive evidence of the publication and promulgation of such ordinance, in all courts and places; and all ordinances, when published as aforesaid, shall be deemed and taken as public acts, and shall be received in evidence in all courts of law and equity in this state without proof.

Style of ordi-
nances.

§ 2. The style of the ordinances of the city shall be, "*Be it ordained by the City Council of the City of Peoria.*"

Evidence of
validity of ordi-
nances.

§ 3. All ordinances, when printed or published in book or pamphlet form, and purporting to be printed and published by authority of the city council, shall be received in evidence in all courts and places without further proof; and when ordinances are printed and published in book or pamphlet form, as herein provided, it shall not be neces-

sary to publish the same as provided in section one of this chapter.

§ 4. All ordinances, regulations and resolutions now in force in the city of Peoria, and not inconsistent with this act, shall remain in force under this act until altered, modified or repealed by the city council, after this act shall take effect. Prior ordinances in force.

§ 5. All actions, rights, fines, penalties and forfeitures, in suit or otherwise, which have accrued under the several acts consolidated herein, shall be vested in and prosecuted by the corporation or corporations hereby created. Former rights accrued to vest in corporation.

§ 6. All property, real, personal and mixed, belonging to the city of Peoria, is hereby vested in the corporation or corporations created by this act; and the officers of said corporation or corporations now in office shall, respectively, continue in the same until superseded in conformity to the provisions hereof, but shall be governed by this act, which shall take effect from and after its passage. All property vested in corporation.

§ 7. This act shall not invalidate any legal act done by the city council of the city of Peoria or by its officers, nor divest their successors under this act of any rights of property, or otherwise, or liability which may have occurred to or been created by said corporation prior to the passage of this act. Act valid.

§ 8. No person shall be an incompetent judge, justice, witness or juror, by reason of his being an inhabitant or freeholder of the city of Peoria, in any action or proceeding in which said city shall be a party in interest. Incompetent judges, etc.

§ 9. All officers of the city created conservators of the peace by this act shall have power to arrest, or cause to be arrested, with or without process, all persons who shall break or threaten to break the peace, and, if necessary, detain such persons in custody over night, in the work-house, bridewell or other safe place, and shall have and exercise such other powers, as conservators of the peace, as the city council may prescribe. Arrests, with or without warrant.

§ 10. The cemetery lots which have been or may hereafter be laid out and sold by said city, for private places of burial, shall, with the appurtenances, forever be exempt from execution and attachment. Cemetery lots exempt from attachment.

§ 11. In all cases where lands in said city are hereafter subdivided and laid out into blocks or lots, sub-lots, streets and alleys, or new streets or public grounds are donated or granted to the public by any proprietor, in order to secure a uniform plan in the laying out of such streets and alleys, the map or plat thereof shall be submitted to the city council for their approval. If they approve, the city clerk shall certify upon it their approval; and no such map or plat shall be entitled to record or have any validity until so approved by said council. Subdivision of lots to be approved by council.

Powers of the council to survey and number city lots.

§ 12. The city council shall have power to cause the lots and blocks of the city to be surveyed, platted, and numbered in consecutive numbers, from one upwards, and to designate and number all fractional and other lots or blocks, in such manner as they may prescribe by ordinance; and such plat, designation and numbers, when made and duly recorded, shall be a good and valid description of said blocks and lots or fractional blocks and lots; to establish, mark and declare the boundaries and names of streets and alleys; and any tract of lands adjoining said city which may be laid off into blocks and lots, and duly platted, according to law, and any tract of land adjoining the city, with the consent of the owner thereof, shall and may be annexed to said city and form a part thereof.

City not required to file appeal bond.

§ 13. When in any suit the city of Peoria prays and appeals from the judgment of any court of this state to a higher court, it shall not be required to furnish an appeal bond, nor shall any affidavit of merits be required of said city in any suit to which it is a party defendant, to entitle it to defend the same. No suit shall be brought against the city, except in a court of record, nor shall any writ of execution be issued for the collection of any judgment recovered against said city.

Vote of city council, how rescinded.

§ 14. No vote of the city council shall be reconsidered or rescinded at a special meeting, unless at such special meeting there be present as large a number of aldermen as were present when such vote was taken.

Construction of act.

§ 15. Nothing in this act shall be so construed as to deprive the city council of said city of any powers or authority conferred upon the same by the act incorporating said city and the various acts amendatory thereto, but the said city council shall possess and enjoy all the powers and authority heretofore conferred upon the same, except so far as such powers and authority have been expressly modified or repealed by this act or the acts heretofore mentioned.

Publication of ordinances.

Designation of paper.

§ 16. The city council, at their regular meeting in the month of January, in each year, or within not to exceed thirty days thereafter, shall designate one public newspaper, printed in said city, in which shall be published all ordinances and other proceedings and matters required in any case by this act, or by the by-laws and ordinances of the city council, to be published in a newspaper; and if the proprietors of the newspaper so designated shall at any time during the year suspend the publication thereof or decline longer to publish said proceedings, another newspaper shall be designated in its stead. The city council may, also, in its discretion, provide for the publication of said ordinances and other proceedings, or such portion of the same as it may think proper, in some newspaper published in the German language.

§ 17. All acts, resolutions and ordinances heretofore passed by the city council of said city, appropriating money for the purpose of encouraging enlistments in said city, are hereby ratified and confirmed, and shall be and remain in force until altered, modified or repealed. Concerning enlistments.

§ 18. This act shall not operate or be construed to extend to any railroad company any rights, privileges or benefits which they do not now possess under their respective acts of incorporation or existing laws. Railroads.

§ 19. Whenever any railroad or railway company, which has been heretofore or may hereafter be authorized to extend its railway tracks along the streets, alleys or other highways, controlled by the city, within the limits of said city, shall desire to use the track or tracks of any other railroad or railway company, in any streets, alleys or other highways, within said limits, for the passage of their cars and engines and the transaction of their business, or either, it shall be lawful for such company to apply, by petition, to the judge of the circuit court of Peoria county for such leave; and the owner or owners of such track or tracks, so desired to be used, having been first notified to appear and answer to such petition, it shall be the duty of said court to appoint three commissioners to determine the time or times, mode, manner, extent and rates, at which such track or tracks may be used, as aforesaid; and the said commissioners shall grant a certificate to the party or parties so applying, setting forth in such certificate their decisions; and the party applying, as aforesaid, acting in pursuance of said certificate, shall be authorized to use such track or tracks, in compliance with such certificate. Railroad tracks, how established

An appeal may be taken by either party to the circuit court of Peoria county from such decision. All proceedings in said court and before said commissioners, when so appointed, shall be conducted in the manner provided for the condemnation of rights of way in an act entitled "An act to amend the law condemning the right of way for the purpose of internal improvement," approved June 22, A. D. 1852, and the acts amendatory thereto. The provisions of this section shall not authorize the use of the railway tracks of any party for the running of the regular trains of another party, or in such manner as in any way to interfere with the running of the regular trains or, materially, with the general business of the party owning such railway track; and such use of such railway track and the cars and engines passing over the same shall be under the exclusive direction and control of the superintendent of the railway the track of which is so used, and shall be limited to the railway tracks down, in, along and over the streets, alleys or other highways of said city, as hereinbefore stated. Commissioners.

Whenever, by the use of any such track, under the decision made as above specified, either party shall

deem the terms of said use unjust or inequitable or to require revision, he or they may have a re-adjustment of the same, upon the application and hearing in the manner as above prescribed.

Term of office.

City officers.

§ 20. All persons now holding office in the city of Peoria, by virtue of an election of the people, except as herein otherwise provided, and for whose re-election by the people this charter provides, shall be continued in office until the first Tuesday in January, 1870, or until their successors are elected and qualified. All persons, now holding office by an election from the people, and whose re-election by the same is not provided for, shall go out of office on the first day of May, 1869, except the city clerk and attorney, who shall hold over until the first Tuesday in January, 1870.

Act repealed.

§ 21. So much of an act entitled "An act to regulate the holding of elections in the city and town of Peoria," approved March 7, 1867, as relates to an assessor for the city of Peoria, is hereby repealed, and the city council shall have power, immediately upon the passage of this act, to appoint one or more assessors for said city.

Annual election of officers.

§ 22. After the next annual election for township officers, in the town of Peoria, to be held in April, 1869, the next election for such officers shall be held on the first Tuesday after the first Monday in November, of the same year, and annually on the same day of the month of November thereafter: *Provided*, that the officers so elected in the month of November shall not enter upon their duties until the town officers of the other townships of Peoria county, elected at the annual town elections, in the April following, shall be entitled to enter upon their duties.

Floating debt.

§ 23. Upon the passage of this act, the city council shall provide for the immediate payment of the floating debt of said city, by the issue and sale of city bonds—said bonds to bear interest at a rate not to exceed ten per cent. per annum, payable annually or semi-annually—the principal to be payable in equal installments, so as to be extinguished at the end of four years; and it shall be obligatory on the city council, annually in each year, to include in its appropriation bill the sum necessary to redeem such bonds as may fall due within said year.

Funding debt.

§ 24. Upon the funding of the floating debt by the city, as provided in the foregoing section, the city council shall provide and keep in the city treasury, constantly, current funds sufficient to redeem all warrants drawn by its authority; and no warrant shall be drawn on the city treasury unless there are sufficient moneys in the same to redeem said warrants.

Council may borrow money.

§ 25. In order to provide the necessary funds for the redemption of the warrants drawn on the treasury before the collection of the annual revenue of the city, the city council shall have authority to borrow money, in anticipa-

tion of the taxes, or they may provide for the issue of bonds of the city, equal in amount to the amount of the tax levy on behalf of the general fund for the year 1869. Said bonds may run for a term not to exceed thirty years, and bear interest not to exceed seven per cent. per annum, payable semi-annually at such place as the city council may direct, out of moneys belonging to the general fund.

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

APPROVED February 20, 1869.

AN ACT supplemental to an act entitled "An act to reduce the charter of the city of Peoria, and the several acts amendatory thereof, into one act, and revise the same," approved February 20, 1869. In force April 17, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections six (6) and seven, (7,) of chapter twelve, (12,) of an act entitled "An act to reduce the charter of the city of Peoria, and the several acts amendatory thereof, into one act, and revise the same," approved February 20, 1869, be and the same are hereby so altered and amended that one hundred and fifty thousand (150,000) dollars of the bonds authorized to be issued by said sections shall bear interest at a rate not exceeding ten per centum per annum. Act amended.

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

APPROVED April 17, 1869.

AN ACT to amend the charter of the city of Peru.

In force June 19, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one (1) of the fifth (5) article of the charter of the city of Peru, approved February 13th, 1857, be and the same is hereby amended so that the city council of said city shall have power and authority— Act amended.

First.—To levy and collect taxes upon all property, real and [personal,] within the limits of the city, not exceeding three-fourths of one (1) per cent. per annum upon the assessed value thereof; which taxes shall constitute the general fund.

Second.—To levy and collect taxes, not exceeding one (1) half of one (1) per cent. per annum on all property Tax to repair sidewalks.

subject to taxation, for the purpose of building and repairing sidewalks and other public similar improvements: *Provided*, that the taxes so raised be expended for such public improvements within the ward in which the same are raised.

APPROVED March 29, 1869.

In force when
adopted by
legal voters.

AN ACT to reduce the law incorporating the city of Quincy, and the several acts amendatory thereof, into one act, and to amend the same.

CHAPTER I.

OF BOUNDARIES, WARDS, AND GENERAL POWERS.

Boundaries.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the district of country, in the county of Adams, and state of Illinois, known and described as follows, to wit: Beginning in the middle of the main channel of the Mississippi river, at a point due west from the north-west corner of section thirty-five, in township one south of the base line, of range nine west of the fourth principal meridian; running thence east, through said north-west corner of section thirty-five, and along the north line of sections thirty-five and thirty six, to the north-east corner of section thirty-six, in aforesaid township and range; thence east two rods, along the north line of section thirty-one, in township one south, range eight west; thence south, at the distance of two rods from the east line of section thirty-six, to a point two rods east and two rods north of the south-east corner of said section thirty-six; thence running due east to the north-east corner of the north-west quarter of section six, in township two south of the base line, range eight west of the fourth principal meridian; thence due north to a point due east of the south-west corner of the old Quincy cemetery; thence due west to a point two rods east of the east line of section one, in township two south, range nine west; thence south, at two rods' distance from the east line of sections one and twelve, in said township two south, range nine west, to a point two rods east of the south-east corner of the north half of said section twelve; thence west, through said south-east corner and along the south line of the said north half of section twelve, and along the south line of the north half of section eleven, in same township and range, to the south-west corner of same; thence due west to the middle of the main channel of the Mississippi river; thence up said river, along the middle of the main channel thereof, to the place of beginning; is hereby created into a city, by the name of "The City of Quincy."

§ 2. The inhabitants of said city shall be a corporation, Name and style by the name of "City of Quincy," and, by that name, may sue and be sued, complain and defend, in any court; make and use a common seal, and alter it at pleasure; and take and hold, and purchase, lease and convey, such real, personal and mixed estate as the purposes of the corporation may require, or the city may have interest in, within or without the limits aforesaid.

§ 3. The city of Quincy shall be divided into six wards. Division of city into wards.
 1st. All that part of the city which lies north of Vermont street, and west of Seventh street, shall be denominated the first ward.
 2nd. All that part of the city which lies between Vermont and York streets, and west of Seventh street, shall be denominated the second ward. Second ward.
 3rd. All that part of the city which lies south of York and west of Seventh street shall be denominated the third ward. Third ward.
 4th. All that part of the city which lies east of Seventh street, and south of York street, or York street extended, shall be denominated the fourth ward. Fourth ward.
 5th. All that part of the city which lies between York and Vermont streets, and York and Vermont streets extended, and east of Seventh street, shall be denominated the fifth ward. Fifth ward.
 6th. All that part of the city which lies east of Seventh street and north of Vermont street, and Vermont street, extended, shall be denominated the sixth ward: *Provided*, that the city council may, by ordinance, change, from time to time, said ward boundaries, or increase the number of wards, having regard to preserving an equality of population in the several wards, and, if need be, may divide the wards into two or more election districts—a majority of all the aldermen elected being required for any of the above-named changes; and may, by such majority, in any way change said wards, or increase the number thereof. Sixth ward.

CHAPTER II.

ELECTION AND APPOINTMENT OF OFFICERS.

SECTION 1. The municipal government of the city shall consist of a city council, to be composed of the mayor, and two aldermen from each ward. City council.

§ 2. The other officers of the city shall be, a city clerk, city treasurer, city collector and city marshal, to be elected at the annual charter election; a city assessor, city engineer, city attorney, city physician, city supervisor, a commissioner of public works, a city sexton, a chief of police, a clerk of the market, a harbor master, an overseer of the poor, and such other officers and agents as may be prescribed by ordinance, to be appointed by the city council, who shall hold their offices for one year: *Provided*, that all said officers or agents provided for by this section shall be subject to removal for cause, to be entered of record, by a Election of officers.

two-thirds vote of all members of the city council; and in case of removal, the council may, by appointment, fill the vacancy occasioned thereby. Their duties not otherwise defined may be prescribed by ordinance; and where not so defined or prescribed, or where any duty shall seem to the mayor omitted to be defined or prescribed, they shall be subject to his discretion, and until their successors are appointed and qualified.

Ward elections. § 3. An election shall be held in each of the wards of said city, at such place or places as the city council may designate, on the third Monday in April in each year, and of which notice shall be given by publishing the same in a daily newspaper published in said city, and by posting printed notices in three public places in each ward, giving at least ten days' notice thereof, as may be prescribed by ordinance.

Election of mayor and clerk § 4. At the annual election, there shall be elected, by the qualified voters of the city, a mayor, city clerk, city treasurer, city collector and city marshal; and by the qualified voters in each ward, an alderman; and the person receiving the highest number of votes for the respective offices shall be declared duly elected thereto.

Tie vote, how determined. § 5. Whenever there shall be a tie in the elections of mayor or aldermen, or other officers elected under this act, the judges of the election shall immediately certify the same to the city council, who shall determine the same by lot, in such manner as may be provided by ordinance.

Term of office of mayor. § 6. The mayor shall hold his office for one year, and until his successor is elected and qualified.

Representation of wards. § 7. Each ward in the city shall be represented in the city council by two aldermen, who shall be residents thereof, and hold their offices for two years, respectively, and until the election and qualification of their successors.

Eligibility of mayor. § 8. No person shall be eligible to the office of mayor or alderman, unless he is over the age of twenty-one years, is a citizen of the United States, and has resided in the city for one year immediately preceding his election.

Removal from the city. § 9. If the mayor, or other officers, should remove from the city, or an alderman from the ward for which he is elected, during his term of office, the same shall thereby be vacated.

Vacancy in office of mayor. § 10. Whenever any vacancies shall happen by the death, resignation, removal, or otherwise, of the mayor or any alderman, such vacancy shall be filled by a new election, unless said vacancy occurs within ninety days preceding the regular city election; and such new election shall be ordered by the city council, within ten days after the happening of said vacancy, in such manner as may be provided by ordinance; and in case of such vacancy in any other office, the council may fill the same by appointment.

§ 11. The mayor or any alderman may be removed, for cause entered of record, by a vote of two-thirds of all the aldermen authorized by law to be elected. Removal from office.

§ 12. All citizens of the United States qualified to vote at any election held under this act, except as herein otherwise provided, shall be qualified to hold any office created by this act; but no person shall be eligible to hold any office in relation to this city who is or may be a defaulter to the city or state, or any county thereof; and any person shall be considered a defaulter who shall refuse or neglect, for thirty days after demand is made, to pay over or account for public moneys in his possession, to the parties authorized to receive the same; and any person so becoming a defaulter, while holding an office under the city, the office shall thereby become vacant. Qualifications of voters.

§ 13. The manner of conducting and voting at elections, to be held under this act, the keeping of the poll lists, canvassing the votes and certifying the returns, shall be as nearly as possible in conformity with the general election law of the state. The voting shall be by ballot. Registration shall be required, as under the general election law, but any special election ordered, may be conducted on the registration of the regular election last preceding. On the closing of the polls, the ballots shall be counted in the manner prescribed by law, and the returns shall be delivered, sealed, to the city clerk, within twenty-four hours after the closing of the polls of said election, and thereupon the city council shall meet, within three days after the election, and declare the result thereof. The city clerk shall at once notify all persons elected to office, of their election, and on the fifth day after said election, the city council shall meet to qualify the members elect, and all such as fail to qualify, within ten days after their election, shall be considered as declining, and the offices to which they were elected become vacant, and shall be filled as hereinbefore prescribed. Manner of voting and conducting elections.

§ 14. No person shall be entitled to a vote at any election, under this act, who is not entitled to a vote at state elections, and has not been a resident of said city at least thirty days next preceding the election. He shall, moreover, have been an actual resident of the voting precinct, in which he votes, for thirty days previous to the election; and, if required by any person qualified to vote thereat, and who has already voted at said precinct, shall take the following oath before he is permitted to vote: "I swear (or affirm) that I am of the age of twenty-one years; that I am a citizen of the United States, (or was a resident of this state at the time of the adoption of the present constitution), and have been a resident of this state one year, and a resident of this city thirty days immediately preceding this election, and am now, and have been for thirty days past, a resident of this voting precinct, and have not voted at this election." Qualifications of voters.

And, if required by any legal voter, who has voted in the same voting precinct, such voter shall swear or affirm to his place of residence, stating where and in what house he has resided for the last thirty days, and the same shall be verified by the oath or affirmation of some known citizen of the voting precinct who has already voted at said election: *Provided*, that the voter shall be deemed a resident of the precinct in which he is accustomed to lodge.

CHAPTER III.

POWERS AND DUTIES OF OFFICERS,

Oath of office.

SECTION 1. Every person chosen or appointed to an executive, judicial or administrative office, under this act, shall, before he enters upon the duties of his office, take and subscribe the oath of office prescribed in the constitution of the state, and file the same, duly certified by the officer before whom it was taken, with the city clerk.

Presiding officer of council.

§ 2. The mayor shall preside over the meetings of the city council and have a casting vote, and no other. He shall take care that the laws of the state and ordinances of the city are duly enforced, respected and observed within this city, and that all the other executive officers of the city discharge their respective duties. He shall have the right, at any time, to examine the books and papers of any of the officers of the city, and require from them an exhibit of their accounts; and shall have the power to require further, other, or additional bond. He shall communicate, from time to time, to the council, such information as he may deem advantageous to the city. He may give bond and qualify as a justice of the peace, and when qualified, shall possess the same power and jurisdiction as the police magistrate, and be entitled to like fees. He shall, also, have such jurisdiction as may be vested in him by ordinance of the city, in and over all places within five miles of the city, for the health and quarantine regulation and ordinances thereof. He may, at any time, call a special meeting of the city council. He is authorized to call on any and all male inhabitants of the city, over the age of eighteen years, to aid in enforcing the laws and ordinances; and, in case of a riot, to call out the militia to aid in suppressing the same and enforcing any law or ordinance; and any person who shall refuse to obey such call, shall forfeit to the city not less than five nor more than one hundred dollars. He shall have power to execute all acts that may be required of him by any law or ordinance made in pursuance of this act. He shall have power to administer, *ex officio*, any oath authorized to be taken by the laws of this state. He shall receive for his services such salary as may be fixed by ordinance, as hereinafter provided, not to exceed fifteen hundred dollars per annum. He shall be liable to indictment in the

Powers and jurisdiction of the mayor.

Enforce ordinances.

Mayor's salary.

circuit court of Adams county, for palpable and willful misconduct and oppression in the discharge of the duties of his office, and, on conviction, shall be fined not to exceed two hundred dollars; and the court shall have power, on the recommendation of the jury, to add to the judgment, that he be removed from office.

§ 3. In case of a vacancy occurring in the office of mayor, or his inability to perform the duties of his office, by reason of continued absence or sickness, the city council shall, by ballot, appoint one of their number to preside over their meetings, whose official designation shall be "Acting Mayor;" and who shall be vested with all the powers and perform all the duties of mayor, except in qualifying as a justice of the peace, until the mayor shall resume his office or the vacancy be filled by a new election—the said acting mayor still retaining the right, as an alderman, to vote on all questions presented to the city council. Vacancy in office of mayor.

§ 4. The members of the city council shall be fire wardens and conservators of the peace, and shall be exempt from jury duty during their term of office. They shall be ineligible to fill any office, under the authority of the city, which has been created, or whose emoluments have been increased during the term for which they have been elected; and they shall be subject to indictment, like the mayor, for malfeasance in office, as heretofore provided. Exempt from jury duty.

§ 5. The city clerk shall keep the corporate seal, and all papers and books belonging to the city, and make a record of the proceedings of the city council, at whose meetings it shall be his duty to attend; and copies of all papers duly filed in his office and transcripts from the records of the proceedings of the common council, certified by him under the corporate seal, shall be evidence in all courts, in like manner as if the originals were produced. He shall, likewise, draw all warrants on the treasury, to be countersigned by the mayor, and keep an accurate account thereof in a book provided for that purpose. He shall, also, keep an accurate account of all receipts and expenditures, in such manner as the city council or mayor shall direct; and he shall have power to administer any oath required to be taken by the laws of this state. Duties of clerk.

§ 6. It shall be the duty of the city attorney to perform all services incidental to his office, and when required, to furnish written opinions upon questions and subjects submitted to him by the mayor or the city council, or its committees, or any other department of the municipal government. Attorney.

§ 7. The city treasurer shall receive all moneys belonging to the city, when not otherwise provided, and shall keep an accurate account of all receipts and expenditures in such manner as the city council shall direct. All moneys shall be drawn from the treasury in pursuance of an order of the Treasurer.

city council, by a treasury warrant, countersigned by the mayor or presiding officer of the city council, and signed by the clerk. Such warrant shall specify on what account the amount therein named is to be paid. The treasurer shall exhibit to the city council, at least twenty days before the annual election of each year, and oftener, if required, a full and detailed account of all receipts and expenditures since the date of the last annual report, and, also, the state of the treasury; which account shall be filed in the office of the clerk.

Marshal.

§ 8. The city marshal shall perform such duties as shall be prescribed by ordinance of the city council or direction of the mayor, for the preservation of the public peace, the collection of license moneys, fines or otherwise. He shall possess the powers and authority of a constable at common law and under the statutes of the state, and receive like fees; but shall not serve civil process, without first entering into bond as such constable, to be approved by the county court, as in other cases—consent of the council being first obtained, and the council being empowered to withdraw such consent, if they see fit. He shall execute and return all process issued by any proper officer, under this act, or any ordinance in pursuance thereof.

Duties of the
city engineer.

§ 9. The city engineer shall do and perform, within said city, all engineering and surveying, and such other duties pertaining to his office as may be, from time to time, prescribed to him by ordinance, order or resolution of the city council or direction of the mayor, or cause the same to be done by some competent person. He shall, when requested so to do, survey any private lot in said city into so many parts or divisions as may be desired, and put down the necessary stakes designated, when requested by any person about to build a house or fence; or grade or make a sidewalk, the line of a street, lane, avenue or alley on which said house or fence is to be erected or sidewalk made, and also the grade of such street, lane, avenue or alley, and make out and deliver to individuals, certificates of all surveys made at their request; and shall receive for these and all other special services such fees as may be prescribed by ordinance. He shall possess the same powers in making plats and surveys within the city as is given by law to county surveyors, and the like effect and validity shall be given to his acts, and to all plats and surveys made by him, as are or may be given, by law, to the acts and plats and surveys of the county surveyor. He shall be, *ex officio*, one of the commissioners of public works, and shall, when required, superintend the construction of all public works ordered by the city, make out the plans and estimates thereof, and superintend the execution of the same, under the direction of the council.

§ 10. The city assessor shall perform all duties in relation to the assessing of property, for the purpose of levying the taxes imposed by the city council, except where otherwise provided. In the performance of his duties, he shall have the same powers as are or may be given, by law, to county or town assessors, and be subject to the same liabilities. On completing the assessment lists, and having revised and corrected the same, he shall sign and return them to the city council. Assessor.

§ 11. The city collector shall collect all taxes and assessments which may be levied by the city council, except where otherwise provided, and perform such other duties as may be herein prescribed or ordained by the city council. Collector's duty

§ 12. The city supervisor shall superintend all local improvements in the city, under the orders of the city council, except where otherwise ordered by the council. It shall, also, be his duty to superintend and supervise the opening of streets and alleys, and the grading, improving and repairing thereof, and the construction and repairing of bridges, culverts and sewers, except as aforesaid; to order the laying and repairing of sidewalks, to give notice to owners of property adjoining such sidewalks, when required, and upon the failure of any person to comply with such notice, to cause the same, on order of the council, to be laid, relaid, or repaired, and deliver the account thereof to the city clerk, to be laid before the city council; to make plans and estimates of any work ordered in relation to the streets and alleys, bridges, culverts, or sewers, except as aforesaid; to keep full and accurate accounts, in appropriate books, of all appropriations made for work pertaining to his office, and of all disbursements thereof, specifying to whom made and on what account; and he shall render monthly accounts thereof to the city council, and shall be, *ex officio*, one of the commissioners of public works. Duty of supervisor.

§ 13. The city council shall have power, from time to time, to require further and other duties of all officers whose duties are herein prescribed: *Provided*, such additional duties shall not release securities on said officer's bond from their liability on said bond; and prescribe the powers and duties of all officers elected or appointed to any office under this act, or by the council, and fix their compensation; and no change shall be made in the salary or fees of any officer of the corporation during his term of service, without the concurrence of two-thirds of all the council elected. The city council may, also, require all officers, severally, before they enter upon the duties of their respective offices, to execute a bond to the city of Quincy, in such sum and with such securities as they may approve, conditioned that they shall faithfully execute the duties of their respective offices, and account for and pay over and Further duties of officers.

deliver all moneys and other property received by them; which bond, with the approval of the city council certified thereon by the clerk, shall be filed in his office.

Surrender of
property, etc.
to successor.

§ 14. If any person, having been an officer of said city, shall not, within ten days after notification and request, deliver to his successor in office, all the property, books, papers and effects of every description in his possession, belonging to said city, or appertaining to his said office, he shall forfeit and pay to said city not less than fifty dollars, and, besides, shall pay all damages caused by his refusal or neglect so to deliver; and such successor may obtain possession of the books, papers and effects belonging to his office, in the manner prescribed by the laws of the state.

Officers com-
missioned by
city.

§ 15. All officers elected or appointed, under this act, shall be commissioned by warrant, under the corporate seal, signed by the mayor, or presiding officer of the city council, and clerk.

CHAPTER IV.

POWERS AND DUTIES OF THE CITY COUNCIL.

Stated meetings

SECTION 1. The city council shall hold stated meetings, at such times and places as they, by ordinance, may direct. Special meetings may be called by the mayor or two aldermen. A majority of the city council shall constitute a quorum; but a smaller number may adjourn from day to day. In the absence of the mayor, an alderman may be chosen to preside.

Rule of pro-
ceedings.

§ 2. The city council shall determine the rules of its own proceedings, judge of the qualification and election of its own members, punish its members for disorderly conduct, decide all contested elections, compel the attendance of absent members, and, for cause, with the concurrence of two-thirds of its members, expel a member.

Reports in de-
tail.

§ 3. The city council shall have power to require from any officer of said city, at any time, a report, in detail, of the transactions of his office, or of any other matter they may deem necessary, and shall have power, with the concurrence of two-thirds of all its members, to remove, for cause, any appointed or elective officer.

Reconsidera-
tion of vote.

§ 4. No vote of the city council shall be reconsidered or rescinded at a special meeting, unless at such special meeting there be present as large a number of aldermen as were present when such vote was taken.

Control of fi-
nances, etc.

§ 5. The city council shall have control of the finances and of all the property, real, personal and mixed, belonging to the corporation; and shall likewise have power, within the jurisdiction of the city, by ordinance—

First.—To borrow money on the credit of the city and issue the bonds of the city therefor; but no sum of money shall be borrowed at a higher rate of interest than eight per

cent. per annum; nor shall a greater sum or sums be in future borrowed, or of the same, at any time, be outstanding, the interest on the aggregate of which shall exceed one-half of the city revenue arising from the ordinary taxes within the city for the year immediately preceding. The appropriations of the city council, for payment of interest for improvements and for city expenses during any one fiscal year, shall not exceed the amount of the whole ordinary revenue of the city for the fiscal year immediately preceding; but the city council may apply any surplus money in the treasury to the extinguishment of the city debt, or to the creation of a sinking fund for that purpose, or to the carrying on of the public works of the city; or to the contingent fund, for the contingent expenses of the city.

Second.—To appropriate money and provide for the payment of the debts and expenses of the city. Appropriations.

Third.—To make regulations to prevent the introduction of contagious diseases into the city; to make quarantine laws for that purpose, and to enforce them within the city, and within five miles thereof. Contagious diseases.

Fourth.—To erect and establish hospitals, dispensaries or pest houses, and to control and regulate the same. Hospitals.

Fifth.—To make regulations to secure the general health and comfort of the inhabitants; to prevent, abate and remove nuisances and punish the authors thereof, by penalties, fine and imprisonment; to define and declare, by resolution or ordinance, what shall be deemed nuisances, and to authorize and direct the summary abatement thereof. General health.

Sixth.—To provide the city with water; to make, regulate and establish public wells, pumps and cisterns, by hydrants and reservoirs in the streets within the city, or beyond the limits thereof, for the extinguishment of fires and convenience of the inhabitants; and to prevent the unnecessary waste of water. Wells, hydrants and cisterns.

Seventh.—To have the exclusive control and power over the streets, alleys and highways of the city, and to abate or remove any encroachments or obstructions thereon; to open, alter, abolish, widen, extend, straighten, establish, regulate, grade, clean or otherwise improve the same; to put drains and sewers therein, and prevent the incumbering thereof in any manner, and protect the same from encroachment or injury. Control over streets, alleys, etc.

Eighth.—To lay out, open, establish, enlarge, extend, alter, change, abolish, improve, regulate and keep in repair public landings, whenever they may deem proper, within the limits of said city. Improvement of streets.

Ninth.—To establish, erect, construct, regulate and keep in repair bridges, culverts and sewers, sidewalks and crossways, and regulate the construction and use of the same, and to abate any obstructions or encroachments thereon; to establish, alter, change and straighten the channels of water Bridges and sewers, etc.

courses and natural drains; to sewer the same, or wall them up and cover them over, and to prevent, regulate and control the filling up, altering or changing the channels thereof by persons or corporations.

Lighting streets. *Tenth.*—To provide for lighting the streets and erecting lamp posts and lamps therein, and to regulate the lighting thereof, and, from time to time, create or extend lamp districts; to exclusively regulate, direct and control the laying and repairing of gas pipes and gas fixtures in the streets, alleys and sidewalks.

Markets and market houses. *Eleventh.*—To establish and regulate markets and market houses and other public buildings, and provide for their erection and determine their location, and to authorize their erection in the streets and avenues of the city, and continuation of such as are already erected within the same.

Public grounds. *Twelfth.*—To lay out, establish, open, inclose, improve and keep in repair public squares, or grounds and cemeteries belonging to the city, and to direct and regulate the planting and pruning of ornamental and shade trees in the public grounds.

Incumbering streets. *Thirteenth.*—To prevent the incumbering of streets, alleys, sidewalks or public grounds with carriages, wagons, carts, sleighs, wheelbarrows, boxes, lumber, timber, firewood, posts, awnings, signs or any other substance or materials whatever; to compel all persons to keep the snow, ice, dirt and other rubbish from the sidewalks and street gutters in front of the premises owned or occupied by them.

Levy and collect wharfage. *Fourteenth.*—To have exclusive power to levy and collect wharfage from any and all boats, rafts or crafts of any kind, landing at any point within the limits of said city.

Merchants and retailers. *Fifteenth.*—To license, tax and regulate merchants and retailers, commission merchants, inn-keepers, brokers, money brokers, insurance brokers, street brokers and auctioneers, or others exercising any calling in said city, and to impose duties upon the sales of goods or property at auction; to license, tax, regulate, suppress and prohibit hawkers, peddlers, pawnbrokers, grocery keepers and keepers of ordinaries, theatrical or other exhibitions, shows or amusements, and to revoke such license at pleasure.

Hackmen and draymen. *Sixteenth.*—To license, tax, regulate and suppress hackmen, draymen, omnibus drivers, carters, cabmen, porters, and all others pursuing like occupations, with or without vehicles, and prescribe their compensation; and to regulate and restrain runners for stages, cars and public houses, or for other things or persons.

Billiard tables and ten pin alleys. *Seventeenth.*—To license, tax, regulate, prohibit and suppress billiard tables, pin alleys and ball alleys; to tax, restrain, prohibit and suppress tippling houses, dramshops, disorderly houses, bawdy houses, gaming and gambling houses, lotteries and all fraudulent devices and practices

and games of chance; and to authorize the destruction of all instruments and devices used for the purpose of gaming.

Eighteenth.—To authorize the proper officer of the city to grant and issue licenses, and to direct the manner of issuing and registering thereof, and the fees and charges to be paid therefor. No license shall be granted for more than one year, and the city council shall have power to fix the amount of license; but no license for the sale of wines or other liquors, ardent or vinous, fermented or malt, at wholesale or retail, by grocery keepers, inn-keepers or others, shall be issued for less than fifty dollars. Licenses and taxes by council

Nineteenth.—To regulate, license and restrain the keeping of ferries. Ferries.

Twentieth.—To improve and preserve the navigation of the Mississippi river within the limits of the city. Improve river.

Twenty-first.—To restrain, regulate and prohibit the selling of any intoxicating or malt liquors by any person within the city, except by persons duly licensed; to forbid and punish the selling or giving away of any intoxicating or malt liquors to any minor, apprentice or servant, without the consent of the parent, guardian, master or mistress. License sale of liquors.

Twenty-second.—To prevent, restrain and punish forestalling and regrating; to regulate the inspection and sale of fresh meats, poultry and vegetables, of butter, lard and other provisions in the city; and the place and manner of selling fish and inspecting the same. Forestalling.

Twenty-third.—To regulate, license and prohibit butchers, and to revoke their license for malconduct in the course of trade. Butchers.

Twenty-fourth.—To establish standard weights and measures, and regulate the weights and measures to be used in the city; to require all traders or dealers in merchandise, or property of any description which is sold by weight or measure, to cause their weights or measures to be tested and sealed by the city sealer, and to be subject to his inspection. The standard of such weights and measures shall be conformable to those established by law or ordinance. Standard weights and measures.

Twenty-fifth.—To provide for the inspection and measurement of lumber and other building materials, and for the measurement of all kinds of mechanical work. Inspection of lumber.

Twenty-sixth.—To provide for the inspection and weighing of hay, grain, lime, stonecoal, and the place and manner of selling the same; to regulate the measurement of firewood, charcoal and other fuel, to be sold or used in the city, and the place and manner of selling the same. Inspection of hay and stone coal.

Twenty-seventh.—To regulate the inspection of kerosene or coal oil, beef, pork, flour, meal and other provisions, salt, whisky and other liquors, to be sold in barrels, hogsheads and other vessels and packages; to appoint weighers, guagers and inspectors, and prescribe their duties and regulate their fees: *Provided*, that nothing herein shall be so construed as to require the inspection of any articles, Kerosene.

enumerated herein, which are to be shipped beyond the limits of the state, except at the request of the owner thereof, or his agent.

Price of bread. *Twenty-eighth.*—To regulate the weight, quality and price of bread, to be sold or used within the city.

Size of bricks. *Twenty-ninth.*—To regulate the size and quality of bricks, to be sold or used within the city, and the inspection thereof.

Cutting and sale of ice. *Thirtieth.*—To regulate the cutting and sale of ice, and to restrain the sale of such ice as is impure.

Parapet walls and fences. *Thirty-first.*—To regulate and order parapet walls and partition fences.

Needful buildings. *Thirty-second.*—To provide for the erection of all needful buildings for the use of the city.

Combustibles. *Thirty-third.*—To regulate the storage and conveying of gunpowder, tar, pitch, rosin, coal oil, and other combustible and dangerous materials, and the use of candles and lights in barns, stables and outhouses.

Enumeration of inhabitants. *Thirty-fourth.*—To provide for taking enumeration of the inhabitants of the city.

Regulate police. *Thirty-fifth.*—To create, establish and regulate the police of the city; to appoint watchmen and policemen, and prescribe their duties and powers.

Punishment of offenders. *Thirty-sixth.*—To impose fines, forfeitures and penalties for the breach of any ordinance, and provide for the recovery and appropriation of such fines and forfeitures, and the enforcement of such penalties.

Fees of jurors. *Thirty-seventh.*—To regulate the fees of jurors, witnesses and others, for services rendered under this act or any ordinance.

Election of city officers. *Thirty-eighth.*—To regulate the election of city officers, and provide for removing from office any person holding an office created by ordinance, or under this act.

Riots, affrays, noises, etc. *Thirty-ninth.*—To prevent and suppress any riot, rout, affray, noise, disturbance or disorderly assembly, in any public or private place within the city.

Fast driving. *Fortieth.*—To prohibit, prevent and suppress horse racing, immoderate riding or driving in the streets, and to authorize persons immoderately riding or driving, as aforesaid, to be stopped by any person; to prohibit and punish the abuse of animals, and to compel persons to fasten their horses or other animals, attached to vehicles or otherwise, while standing or remaining in the streets of the city.

Running at large of horses and cattle. *Forty-first.*—To regulate, restrain or prohibit the running at large of horses, mules, cattle, swine, sheep, goats and geese, and to authorize the distraining, impounding and sale of the same for the cost of the proceedings and the penalties incurred, and to impose penalties on the owners thereof for a violation of any ordinance in relation thereto; to regulate, restrain and prohibit the running at large of dogs, and to authorize their destruction, when at large con-

trary to ordinance, and to impose penalties on the owners or keepers thereof, and to impose and collect taxes upon dogs, to be collected from the owners or keepers thereof.

Forty-second.—To restrain and punish vagrants, mendicants, street beggars and prostitutes. Vagrants, etc.

Forty-third.—To prevent and regulate the rolling of hoops, playing of ball, flying of kites, firing of guns, rockets, fire crackers or other explosive materials, or any other amusements or practices tending to annoy persons passing on the streets or sidewalks, or to frighten horses or teams; to prevent and regulate the ringing of bells, blowing of horns and bugles, crying of goods, and all other noises, performances and practices tending to the collection of persons on the street or sidewalk, by auctioneers or others, for the purpose of business, amusement or otherwise. Rolling hoops.

Forty-fourth.—To abate all nuisances which may injure or affect the public health, comfort or safety, in any manner they may deem expedient. Nuisances.

Forty-fifth.—To do all acts and make all regulations which may be necessary or expedient, for the promotion of health or the suppression of disease. General health.

Forty-sixth.—To compel the owner or occupant of any grocery, cellar, tallow-chandler shop, soap factory, tannery, stable, barn, privy, sewer or other unwholesome, nauseous house or place, to cleanse, remove or abate the same, from time to time, as often as may be necessary for the health, comfort and convenience of the inhabitants of the city. Cleanliness of the city.

Forty-seventh.—To direct the location and regulate the management and construction of breweries, tanneries, blacksmith shops, foundries, livery stables and packing houses; to direct the location and regulate the management and construction of, and restrain, abate and prohibit, within the city and to the distance of one mile from the limits thereof, distilleries, slaughtering houses, establishments for strining or rendering lard, tallow, offal and such other substances as may be rendered, and all other establishments or places where any nauseous, offensive or unwholesome business may be carried on. Breweries, etc.

Forty-eight.—To regulate the burial of the dead, and registration of births and deaths; to direct the returning and keeping of bills of mortality, and to impose penalties on physicians, sextons and others for any default in the premises; to establish and regulate one or more cemeteries. Cemeteries.

Forty-ninth.—To establish and regulate public pounds. Pounds.

Fiftieth.—To fill up any place whereon standing water may be found, which may have been declared a nuisance by the said council; to fill up, drain, cleanse, alter, relay, repair and regulate any grounds, yards, barns, slips, cellars, private drains, sinks and privies, direct and regulate their construction, [and] cause the expenses to be assessed and col- General powers to remove nuisances.

lected in the same manner as side walks assessments or otherwise.

Destitute children.

Fifty-first.—To authorize the taking up and to provide for the safe keeping and education, for such periods of time as may be deemed expedient, of all children, who are destitute of proper parental or guardian care, wandering about the streets committing mischief, and growing up in mendicancy, ignorance, idleness and vice.

Bridewell and house of correction.

Fifty-second.—To erect and establish a bridewell or house of correction, make all necessary regulations therefor, and appoint all necessary keepers or assistants. In the said bridewell or house of correction, where not otherwise provided, may be confined all vagrants, stragglers, idle or disorderly persons or violators of any ordinance, who may be committed thereto by any conservator of the peace, and shall remain therein until the fine or penalty imposed upon them shall be served out, at the rate of one dollar per day: *Provided*, that no person shall be sentenced to said bridewell or house of correction for a longer time than six months, for any one offense; and all persons sentenced by any criminal court or magistrate in and for the city, for any assault and battery, petit larceny, or other misdemeanor punishable by imprisonment in any county jail, may be kept therein, subject to labor or solitary confinement: *Provided*, that all persons so committed may be confined in the common jail of Adams county or the calaboose of the city until such time as said city shall erect or establish a bridewell or house of correction.

Regulate the speed of railroads.

Fifty-third.—To regulate and prohibit the use of locomotive engines within the city and regulate their speed, and to require the cars to be used thereon to be drawn or propelled by other [power] than that of steam; to direct and control the location and construction of railroad tracks, bridges, turnouts and switches, in the streets and alleys, and the location of depot grounds in the city, and to prohibit railroad companies from doing storage and warehouse business or collecting pay for storage; to require railroad companies to keep in repair the streets through which their track may run, and to construct and keep in repair suitable crossings at the intersections of streets, and alleys, and ditches, sewers and culverts, as the city council may deem necessary; to regulate the running of horse railway cars and the laying down of track for the same, the transportation of passengers thereon, and the kind of rail to be used.

Further powers of council.

§ 6. The city council shall have such other powers, for the establishment, maintenance and regulation of public order, health and general police of the city, and for the execution of the powers by this act conferred, as appertain or shall appertain to any other city of this state, though not herein mentioned or enumerated; and shall have power to license, tax and regulate the exercise, within the city, of

any powers or business of any foreign corporation or company, and establish rules for the exercise of the same, and to enforce this provision by ordinance and penalties.

CHAPTER V.

REVENUE.

SECTION 1. The city council shall have power to annually levy and collect taxes on the assessed value of all real property in the city, and on all other property of residents thereof made taxable by the laws of the state of Illinois, as follows: Levy taxes for general purposes.

First.—For general and contingent expenses, not herein otherwise provided for, not exceeding ten mills on the dollar. General fund.

Second.—For ordinary school purposes, not to exceed two and one-half mills on the dollar. School taxes.

Third.—For lighting the streets, not exceeding two mills on the dollar—to be on the real and personal property within the lamp districts. Lighting streets

Fourth.—For the purchase and improvement of school grounds, the erection of school houses and other public buildings, the purchase of grounds, the making of such improvements as may be required, and to provide for the interest accruing upon the public improvement bonds, in case the revenue from said improvements are insufficient to pay the same, such amount as may be required, not to exceed in one year five mills on the dollar: *Provided*, that no tax shall be levied under this clause unless two-thirds of all the aldermen shall vote in favor of the same. School houses and grounds.

Fifth.—To provide for the payment of the interest on such loans as the city may make. Interest on debt

Sixth.—To provide a sinking fund for the liquidation of the general or special indebtedness of said city. Sinking fund.

§ 2. The city clerk shall keep separate accounts of the moneys received as above provided for; and all rates collected for fire premiums shall be donated to the benefit of the fire department of the city. All rates collected on marine insurance shall be applied to the improvement of the wharf and harbor; and the life insurance rates, to such sanitary measures as may be deemed necessary for the promotion of the public health. Donations to fire department. Wharves and docks. Sanitary regulations.

§ 3. The city council shall have power to annually levy and collect, from every male resident of the city (not specially exempted), over the age of twenty-one and under the age of sixty years, a tax of one dollar and fifty cents: *Provided*, that every person liable therefore may, at his option, work under the direction of the street supervisor, on the streets or alleys, one day, in lieu thereof. In default of payment thereof within five days after notice having Street labor.

been served upon him, the sum of three dollars may be collected, and no offset shall be allowed in any suit brought to collect the same; and said tax shall be extended on the collector's books and collected like other taxes, and no property shall be exempt from seizure and sale to pay the same.

Assessment roll.

§ 4. The city council shall have power, by ordinance, to prescribe the form of assessment rolls and revise, alter and add to the same, as they may deem proper. They may also prescribe the duties and define the powers of the assessors and collector: *Provided*, that they shall have the same powers as assessors and collectors, under the general law of the state, for the assessment and collection of state and county taxes, not inconsistent with this act or the ordinances of the city.

Delinquent tax-payers.

Return of.

§ 5. In case the collector does not collect the tax upon or against any premises, he shall, so soon as practicable, or when ordered by the city council, make return of a delinquent list of the same to the city clerk, which shall describe the premises as to which the tax is unpaid and the amount thereof, and give the owner's name when known, and the total amount of delinquent taxes of such list. The city clerk shall file the same, and upon order of the city council, so soon as practicable, make and deliver to the collector a copy thereof, certified to be such copy under his hand and the corporate seal of the city, which shall constitute sufficient process and warrant authorizing the collector to enforce collection of such tax, by sale of the premises. The assessment rolls shall be returned by the assessor on such day as the city council may, by ordinance, provide; but the time may be extended by resolution of the city council. On the return of said roll the city council shall appoint a committee of three to hear and report on all objections to said assessment. Notice of the appointment of such committee shall be given by the clerk, at once, by publication in two daily papers, stating when and where the committee will meet. This committee shall meet at least twice each week, for two successive weeks, and at the end of that time report to the city council such alterations and corrections in the assessment roll as they deem proper. The city council having acted on the report of the committee, shall then make an order confirming the assessment roll and directing a warrant to be issued for the collection thereof.

Duties of the city clerk.

§ 6. The city clerk shall issue a warrant or warrants to the collector for the collection of all taxes, and rule therein separate columns, in which the taxes shall be respectively set down opposite the name of the person or real estate subject thereto. Each column shall be headed with the name of the tax therein set down. The warrant shall be delivered to the collector within thirty days after the confirma-

tion of the rolls, unless further time shall be allowed by the city council. And the said collector shall have power to distrain and sell personal property for the satisfaction of any tax, as may be provided by ordinance.

§ 7. All sales shall be conducted in the manner prescribed by law; but the city council shall have power to prescribe the manner of conducting the same. Notice shall be given by advertisement, not less than ten consecutive days, in a daily newspaper published in said city; said notice shall describe the real estate to be sold, the name of the owner, when known, the amount of taxes and costs, and the time and place of sale of all lands on which taxes are due and unpaid. The sale shall be made for the smallest portion of ground, to be taken off the east side of the lots, if the lots have a northerly or southerly front, and off the north side of the lots if the lots have an easterly or westerly front. The city clerk shall keep a record of such sales for public inspection.

Manner of conducting sale.

§ 8. The same rights of redemption from all sales for taxes, whether general or special, made under this act, shall exist to the same extent as under the general laws of the state now in force or that may hereafter be passed. The redemption money shall be paid to the clerk and by him be accounted for as may be provided by ordinance.

Right of redemption.

§ 9. No purchaser of real estate at a sale for taxes under this act shall be entitled to a deed until he shall have filed with the city clerk the same evidences as are required to procure a tax title deed from sheriffs for sales made for state taxes. Upon the filing of said evidences with the city clerk, he shall execute to said purchaser, or his assigns, a deed conveying the premises so sold and unredeemed, the period of redemption having expired.

Deeds, how procured.

§ 10. Should no bid be made at any sale of property under this act, the same shall be struck off to the city, and thereupon the city shall receive, in its corporate name, a certificate of the sale thereof, and shall be vested with the same rights as other purchasers at such sales.

When no bid, property may be struck off to the city.

§ 11. All deeds made to purchasers of lots, or lands sold for taxes or assessments by order of the council, shall be *prima facie* evidence, in all controversies and suits in relation to the right of the purchaser, his or her heirs or assigns, to the premises thereby conveyed, of the following facts:

Tax deeds shall be *prima facie* evidence.

First—That the land or lot conveyed was subject to taxation or assessment at the time the same was advertised for sale, and had been listed and assessed in the time and manner required by law.

Advertisement.

Second—That the taxes or assessments were not paid at any time before sale.

Taxes not paid.

Third—That the land conveyed had not been redeemed from the sale at the date of the deed.

Non-redemption.

And shall be conclusive evidence of the following facts :
 Was advertised. *First*—That the land or lot was advertised for sale in the manner and for the length of time required by law.

Sale of land. *Second*—That the land was sold for taxes or assessments, as stated in the deed.

Deed. *Third*—That the grantee in the deed was the purchaser or assignee.

Sales, manner of conducting. *Fourth*—That the sale was conducted in the manner required by law.

And in all controversies and suits involving the title to land claimed and held under and by virtue of such deed, the person or persons claiming title adverse to the title conveyed by such deed shall be required to prove, in order to defeat the said title, either that the land was not subject to taxation at the date of sale, that the taxes or assessments had been paid, that the land had never been listed and assessed for taxation and assessment, or that the same had been redeemed according to the provisions of this chapter, and that such redemption was made for the use and benefit of the persons having the right of redemption under the laws of this state; but no person shall be permitted to question the title acquired by the said deed, without first showing that he, she or they, or the person under whom he, she or they claim title, had title to the land at the time of the sale, or that the title was obtained from the United States or this state after the sale, and that all taxes due upon the lands have been paid by such persons or the person under whom he claims title, as aforesaid. In all actions where a party claims premises under any tax sale for any city tax, the court shall hear no objections thereto until the adverse party shall bring into court, for the benefit of the party so claiming, a sum of money equal to double the amount of the said taxes and costs thereon, with annual interest thereon after the sale, and to all taxes paid thereon by the party so claiming after the sale, with like interest thereon, unless he shall prove to the court that the premises were not subject to taxation, or that the tax was paid, or that the sale was redeemed from.

Provide for delinquent list of taxes. § 12. The city council may, if deemed advisable, by ordinance, provide for the return of the delinquent list of taxes on real estate by the collector to the county court of Adams county, for proceedings to judgment thereon, as in case of state and county taxes under the revenue laws of this state; and in such case the collector shall make return of such delinquent list to said court, and thereupon such proceedings shall be had thereon as, in case of state and county taxes, is or may be provided by law. The city collector shall perform the duties in relation thereto appertaining to collectors of state and county revenue from the making of such return to the vesting of title in purchasers at sales. The court, due notice thereof being given, may,

at any term, render judgment, order process for sale and may, from time to time, render further judgment, upon any such due notice given, until judgment shall be rendered against all real estate so delinquent, and may make any order for such purpose occasion may require. The county clerk shall make and issue process for sales, as in case of state and county taxes, which shall be delivered to the city collector, who shall execute the same by the aid of the city clerk, and make return to said city clerk, who shall keep due record thereof, receive all redemptions and issue all certificates of purchase.

CHAPTER VI.

THE FIRE DEPARTMENT.

SECTION 1. The mayor, two aldermen, to be chosen by the city council at their first regular meeting in May of each year, the chief engineer and the two assistant engineers of the fire department, and their successors, are hereby constituted a body politic and corporate; under the name and style of "The Board of Fire Engineers of the City of Quincy;" and by that name may contract and be contracted with, sue and be sued, plead and be impleaded, in any court in this state; have a common seal, and alter the same at pleasure; and acquire, hold, transfer property, real and personal, in the same way that natural persons by law may do; may borrow money and mortgage real estate; and all property which may in any manner become vested in said board shall be held and disposed of by said board only for the maintenance and support of the Quincy fire department. General powers

§ 2. On the second Tuesday in April, annually, an election shall be held at such engine house in the city of Quincy as the board may designate, for a chief engineer and two assistant engineers of the fire department; which said election shall be held subject to such regulations as the board of engineers may adopt, not inconsistent with the provision of this act. The manner of conducting elections, the keeping of the poll list, the canvassing of the votes and certifying the returns shall be the same, as nearly as may be, as is now or may hereafter be provided at general state elections: *Provided*, that no person shall be entitled to vote at any election held under the provisions of this act who shall not have been a member of some volunteer company of the fire department at least sixty days previous to such election. The officers thus elected shall hold their office for one year, and until their successors are elected and qualified. Election, time and place of.

§ 3. The board of engineers shall have power to adopt such by-laws, for their own government, and such rules and regulations for the government of the fire department as By-laws, rules and regulations of fire department.

they may deem necessary, and alter and amend the same at pleasure; and shall also establish the amount of salary to be paid to the chief engineer, the assistant engineers and the clerk of the board.

Duty of mayor. § 4. The mayor shall be chairman of the board, and shall, with the chief engineer and one other, constitute the finance committee, by whom all claims shall be audited, and, if allowed, warrants therefor may be drawn on the funds of the board in favor of the person entitled to the same. Said warrants being signed by the chairman and clerk.

Monthly meetings. § 5. The board of fire engineers shall hold regular monthly meetings, at such place within the corporate limits of said city as they, by vote or by law, may determine; and at their first regular meeting they shall elect, from among their own number, a secretary, whose duty it shall be to keep a correct record of the proceedings and all the accounts of the board—which record shall be open to the inspection of all persons interested. Four members shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and shall have power to compel the presence of the absentees.

Quorum. § 6. All and singular the powers and duties, and rights of property in the grounds, buildings and apparatus occupied and used by the fire department, are vested in the said board of fire engineers, who are declared to be the legal successors of the city council in relation to the powers, duties and rights of property aforesaid, subject to provisions herein. And all property belonging to the board of engineers shall be exempt from taxation for city, county or state purposes.

Property vested in board of fire engineers. § 7. The board of fire engineers of the city of Quincy are hereby vested with the exclusive management, charge and control of all fire companies, engine companies, hose and hook and ladder companies, hose and other apparatus used in the extinguishment of fires; and are hereby authorized and required to establish and maintain an efficient fire department and to defray the expenses thereof, and for this purpose they may have power to procure fire engines, hose, hose carriages, and such other apparatus used for the extinguishment of fires as may be necessary, and have charge and control of the same; and shall provide fit and secure engine houses for keeping and preserving said fire apparatus, and shall keep said engine houses in thorough repair; and shall also have power to organize fire, hook, hose, bag, ladder and ax companies, to prescribe the duties of firemen and to make all necessary rules and regulations for their government.

Powers of the board over fire companies. § 8. The city council of the city of Quincy shall, at its first regular meeting in May of each year, appropriate a sum not less than six thousand dollars, which sum shall be

Appropriation for salaries.

held by the city treasurer subject to the order of the board of engineers, and shall only be applied to the maintenance of the fire department, and the payment of the salaries of the officials thereof. At the last monthly meeting of the board of engineers in each fiscal year there shall be ascertained the amount of money appropriated for the current year unexpended, or deficiency, if there be any, and an estimate made of the requirements of the board for the ensuing year, which shall be reported to the city council on or before their first meeting in May following.

§ 9. The members of the fire department shall, during their term of service, be exempt from serving on juries and in the militia, and from paying or working out any road or poll tax; and every fireman who shall have faithfully served as such in the city of Quincy for seven years, shall be forever thereafter exempt from [serving] on juries or in the militia, except in case of insurrection and invasion. Honorary members of any of the fire companies of Quincy, who contribute annually a sum of not less than three dollars to the support of the fire department, shall also be exempt from paying road tax or serving on juries, during the period of their membership, as above; and all above exemptions shall be evidenced by the certificate of the secretary of the board: *Provided*, that the fireman who has served as such for seven years, shall receive a diploma, under the corporate seal, and signed by the president and secretary, and countersigned by the chief engineer.

Exempt from jury duty.

§ 10. The city council shall have power to prescribe the limits within which wooden buildings shall not be erected or placed or repaired, without the special permission of the city, and to direct that any or all of the buildings therein erected shall be constructed of fire-proof material. They shall have power to regulate the construction of chimneys, fire places, hearths, stoves, stove pipes, ovens, boilers and apparatus used in about any building or manufactory, and to cause the same to be removed or made safe, when considered dangerous. To prevent the deposit of ashes in unsafe places; to regulate and prevent the carrying on of manufactories dangerous in causing and promoting fire; to regulate and prevent the use of fire works and fire arms; to vest, by ordinance, all such authority in the board of fire engineers as may be requisite for the prevention and extinguishment of fires, and the most effective working of said department.

Wooden buildings.

Prevention and extinguishment of fires.

§ 11. All ordinances of the city of Quincy, existing at the date of the passage of this act, and not inconsistent with its provisions, are hereby declared to remain in force until repealed or modified by the city council, and the present existing board of fire engineers shall continue as such, clothed with all the powers herein granted, until their successors are chosen and qualified, under the authority of this

Ordinances to continue in force until repealed.

act: *Provided*, that whenever the city shall deem it expedient to organize a paid fire department, all of the provisions in this act conflicting with the system of said paid fire department may be repealed by ordinance, specially specifying what is repealed; and the city council may pass such other ordinances for the organization of said paid fire department, not inconsistent with the spirit and privileges of this charter, as they may deem needful, which ordinances shall have all the validity and legality of the original charter provisions.

CHAPTER VII.

PUBLIC SCHOOLS.

Powers of the
school board.

SECTION 1. The superintendent of public schools and the present members of the board of education of the city of Quincy, as said board now exists, under an act of the legislature entitled "An act to establish a board of education in the city of Quincy," approved February 20, 1861, and an act supplemental thereto, approved February 22, 1861, and their successors, are hereby declared and constituted a body politic and corporate, under the name and style of "The Board of Education of the city of Quincy," and by that name may contract and be contracted with, sue and be sued, plead and be impleaded, in any court of this state; have a common seal, and alter the same at pleasure, and acquire and hold and transfer property, real and personal, and chuses in action in the same manner that natural persons, by law, may do; and all property, which may in any manner become vested in said board, shall be held and disposed of by said board only for the maintenance and support of public schools in said city: *Provided*, that no property shall be sold by said board without the consent of a majority of the city council.

Name and style.

Superintendent.

§ 2. The city council shall at its first regular meeting in August, in each year, appoint, by and with the consent of a majority of all the aldermen elected, a school superintendent, who shall hold his office for one year, and also three members of said board of education, who shall hold their appointment for two years, and until their successors are appointed and qualified: *Provided*, that the present members of said board of education shall hold their positions for the time they were appointed under the act heretofore referred to: *And, provided, further*, that each ward in the city of Quincy shall be entitled to one member in said board.

Removal from
office.

§ 3. The city council of the city of Quincy shall have power to remove from office, by and with the consent of all the aldermen elected, any member of said board of education, and to fill all vacancies in said board, arising from any

cause, as provided in section two of this chapter for their appointment.

§ 4. The said board of education shall organize annually by the appointment of one of their members president, and one clerk. The board shall have power to adopt such regulations for their own government as may be necessary, and define the duties of their officers. They shall hold regular meetings, at such times and places as they may determine, and may hold special meetings in such manner as they may provide by standing rules. A majority of all the members shall constitute a quorum, but a smaller number may adjourn from day to day. Should there be more than six wards created under the city charter, or other law, each ward shall have one member in said board. Organization of board.

§ 5. The superintendent of public schools shall be, *ex officio*, treasurer of said board, and keep and disburse the funds, and receive such commission thereon as is paid to the city treasurer. No funds shall be paid into his hands until he has given bond, with security, to be approved by the city council, in such sum as the city council may direct, payable to the board of education, conditioned for the faithful discharge of his duties as superintendent of public schools and as treasurer of the board of education. He shall keep accurate accounts of all moneys received and expended by him as treasurer, and shall report the same to said board of education, at least once in six months, and as often as required by the board; and his accounts shall be open at all times to the inspection of any member of the board or of the city council. Superintendent, ex-officio treasurer.

§ 6. All claims payable out of the treasury of the board shall be audited by the board, and, if allowed, a warrant for the amount in favor of the person entitled thereto, signed by the president and clerk, shall be drawn on the treasurer; and no money shall be paid out of the treasury except upon warrants, as herein provided. Warrants for the payment of money.

§ 7. The board of education are hereby vested with the management, charge and control of all public schools, public school property and public school funds in said city, and are hereby authorized and required to establish and maintain an efficient system of public schools in said city, and to defray the expenses thereof; and for the purposes aforesaid, shall have power— Board to have exclusive control of schools.

First.—To establish, change and discontinue schools and school districts in said city. To change districts.

Second.—To erect school houses, purchase sites for the same, and to supply the public schools with all necessary libraries, furniture and apparatus. Houses.

Third.—To prescribe text books and studies to be pursued in said public schools. Studies.

Fourth.—To employ school teachers and discharge the same at pleasure, and to fix their compensation. Teachers.

Repairs. *Fifth.*—To make necessary improvements and repairs in and about the public school property.

To make rules and regulations for schools. *Sixth.*—To make proper rules and regulations concerning the management and government of said public schools; and also to make reasonable by-laws concerning the conduct of the business of said board.

To carry out an efficient public school system. *Seventh.*—To do all other acts and things not inconsistent with the laws of this state or the ordinances of said city, which may be necessary for the establishment and maintenance of an efficient public school system in said city.

All moneys to be paid directly to treasurer. § 8. All moneys collected by taxation in said city, under the provisions of section 1, of chapter 5, for school purposes, in charter of said city, shall be paid by the collector of the revenue of said city directly to the treasurer of the board of education, and no person shall, at the same time, be treasurer of said city and of said board.

Compensation of board. § 9. The compensation of the several members of the board of education shall be fixed by ordinance of the city council, except the salary of the superintendent, which shall be fixed by said board, which salaries shall be paid out of the treasury of the board.

If property of board exempt from taxation. § 10. All property of said board of education shall be free and exempt from taxation for state, county or city purposes.

Council may change time and mode of election. § 11. The city council shall have power, at any time, to alter, by ordinance, the time and mode of election and term of office of the members of said board.

Vested property. § 12. All and singular the powers and duties and rights of property now vested in the present board of education, by the laws creating the same, except as hereinbefore provided, are hereby invested in the board hereby created as their legal successors; and said board are hereby required to make annual statements, on the first Monday in August, in each year, to the city council of the city of Quincy, showing receipts and expenditures—and oftener if required by ordinance; and all moneys due the city of Quincy on division of the state school fund, by the superintendent of public schools for the county of Adams, shall be paid to the treasurer of said board; and it shall be the duty of said board to report biennially, to the superintendent of public schools of Adams county, the number of children within said city of Quincy, as now prescribed by law.

CHAPTER VIII.

PUBLIC IMPROVEMENTS.

Commissioners of public works. SECTION 1. The city engineer, the city supervisor, and one other person, to be appointed by the city council, shall constitute the commissioners of public works, to whom shall be referred all questions of damage to or assessment on any property condemned, or affected in any way by an

order of the city council taking the same for public uses, except as hereinafter provided.

§ 2. Said commissioners of public works shall perform such duties and exercise such powers as are hereinafter prescribed, and such as may be defined by ordinance, not inconsistent with the provisions of this act. Duty of commissioners.

§ 3. The city council shall have power to cause, from time to time, any street, alley or avenue or any sidewalk thereof to be graded, filled, paved, planked or macadamized, whenever in their judgment they may deem it expedient, or any lot or grounds to be filled or graded. Improve streets.

§ 4. The expense of any such improvement or work shall be paid by the property or owner of the property to be specially benefited thereby, to the extent of the special benefits to be derived to such property or owner therefrom; and for that purpose the city council shall cause an estimate of the cost thereof to be made and reported, by the city engineer, to be entered of record by the city clerk. Said council shall then declare of record whether or not the same shall be made; and if they determine that the same be made, shall declare of record the character and extent of the same; and shall appoint three competent resident property-holders of the city as commissioners, or direct the commissioners of public works to examine and determine upon the property specially benefited by such improvement or work. The city clerk shall then make out a copy of the record of said report of the city engineer, and of the action of the city council thereon, together with a notification to said persons or commissioners of their appointment, under his hand and the corporate seal, and the same deliver to one of them and read to the others. Said commissioners shall thereupon, within ten days thereafter, meet and personally inspect the place of the proposed improvement and the lots, parts of lots and ground at and about the same, and shall assess the value of said lots, parts of lots and grounds severally, and shall assess and estimate the special benefits, if any, to each, resulting or arising from such improvement or work, based upon such valuation, and all the same shall, in writing, report, describing the place and several lots, parts of lots and grounds aforesaid, with sufficient certainty for identification, to the city council, to be entered of record by the city clerk. Before entering upon their duties, said commissioners or commissioners of public works shall take and subscribe an oath to impartially discharge their duties. Upon the making of said report the city council shall, in a reasonable time thereafter, fix on a time and place when and where they will hear objections to said report, and the clerk shall give notice thereof in some newspaper published in said city, for ten days, notifying all persons of the time and place and the object of said meeting. At said time and place the council shall Expenses of improvement.

Oath of commissioners.

Removal com-
missioners.

hear any such objections, and may alter, change, amend, approve or annul said report; and if annulled may appoint other commissioners, who shall have the same notice and whose duties shall be the same as said original commissioners. If said report be approved, changed or amended, the city clerk shall make an estimate of the just proportion of the special benefits so found and reported, and based upon the whole estimated benefits aforesaid, and not exceeding the whole estimated cost aforesaid, to be paid by each lot, part of lot or ground, or the owners thereof, and the same, certified under the corporate seal and delivered to the city collector, shall constitute a sufficient warrant and process for collection of the same; and the said special benefits shall be collected as city taxes may be, and shall be a lien on such lots, parts of lots and grounds severally. All expense of such improvement or work exceeding such estimated benefits shall be paid out of the ordinary revenue. Should said cost exceed said estimated cost, the same proceedings may be had to pay the excess out of said benefits until said benefits are fully paid. In case of grading or filling streets, no benefits shall be estimated or collected except upon a vote of three-fourths of the aldermen present, or upon a petition of a majority of the property owners in front feet [?] at the place of the proposed grading or filling.

Taxes, a lien
on real estate.

Vacancies,
how filled.

§ 5. In case of vacancy occurring in the commissioners of public works, the council may fill the same by temporary appointment for the above or any special duty.

Collection of
assessments.

§ 6. The manner of collecting said assessment, and such other details as may be requisite for carrying out the powers above given, may be prescribed by further ordinance, if deemed necessary.

Improvement
of streets, alleys
and all public
grounds.

§ 7. The city council shall have power and authority to lay out, establish, improve and keep in repair public grounds; to open, vacate, widen, establish grade and repair streets, avenues and alleys; to establish, extend, improve, change and repair public landings, within the limits of the city; and shall have power and authority to purchase any lands that may be required for the above purposes, and appropriate and apply the same to the purposes aforesaid. All lands so purchased shall be conveyed to the city by deed or deeds, and all of the right, title and interest of the vendors thereof shall vest, from the time of such conveyance, in the city, absolutely; and all other lands within the city required by the city, for any of the purposes above named, may be taken and appropriated to such required use by the city council, in the manner and form hereinafter specified; and property so taken or acquired, if at any time not required for such public use, may be conveyed by the city.

Taking private
property for
public use.

§ 8. When the city council shall determine to take any lands for any of the aforesaid purposes, without purchase, they shall enter an order or resolution of record to that

effect, particularly describing the land to be taken and the use to which it is to be applied; which resolution shall be referred to the commissioners of public works. The commissioners of public works shall, on receipt of a certified transcript of such order or resolution, under the corporate seal, give notice, by publication for seven successive days in a daily newspaper published in said city, to all persons interested, of the land or lands to be appropriated, the purpose for which the same is to be appropriated, and the time and place when and where they will meet for the purpose herein required—such time being not less than fifteen nor more than twenty days after the passage of the order under which they act.

§ 9. Said commissioner shall inquire into and ascertain, as nearly as possible, the ^{Benefits and damages.} benefits or damage that may be received by the owner or owners of all lands taken or affected by the proposed appropriation; they shall base their estimate upon the cash value of the land as the same would be, provided no such appropriation and use had been contemplated; and they shall make a report, in writing, giving a transcript of the order under which they have acted, a copy of the notice of publication, a statement of their action, a description of the land or lands, by them condemned, in legal form, the names of the owner or owners thereof if known, and shall assess the amount of damage and benefit, severally, suffered or received by the owners of all property affected by the proposed appropriation; which report they shall, as soon as made, file in the office of the city clerk. Said commissioners shall be required to personally inspect the lands to be taken, to hear all statements and evidence relating to the same, and shall have power to swear or affirm all witnesses who may be brought before them to testify; to issue summons and compel the attendance of witnesses, and shall have power to adjourn from day to day. The city clerk shall, upon the filing of said report of the commissioners, give notice in a daily newspaper of said city, for seven consecutive days, to all persons interested, that such report is made and on file in his office, and that at the first regular meeting of the city council not less than ten days after the first publication of said notice (the date and day to be given), the city council will consider the report of the commissioners; at which time all persons interested may appear, personally or by attorney, and offer up such objections to or change in said report as they may deem proper. Said report shall be open to inspection, in the clerk's office, to all interested, and the clerk shall deliver a copy of the same to all parties so demanding, as soon after demanded as practicable, at the expense of the person applying therefor.

Commissioners to give notice.

§ 11. The city council shall have power to annul, confirm or remand said report for revision; and if returned for ^{Confirmation and revision of report.}

revision, the commissioners shall proceed anew as prescribed in section eight of this chapter. If, after hearing objections thereto, the city council do not annul or remand said report, they shall, by resolution, confirm the same; and said order of confirmation shall be indorsed on the report by the city clerk.

Appeal taken
o circuit court.

§ 12. An appeal may be taken, to the circuit court of Adams county, from any assessment of commissioners as above, by any person or by the legal representatives of any person who may be interested in land thus appropriated, or who may be aggrieved by the said assessment; but no such appeal shall be allowed unless the party entitled thereto shall, within twenty days after the date of confirmation of said report and assessment, give formal notice thereof to the city clerk, and file in the office of the circuit clerk of said county a good and sufficient bond of some resident of said county, payable to said city, in the penal sum of five hundred dollars, conditioned, in substance, that the party appealing shall prosecute said appeal without delay, and pay all costs which may be adjudged against such party upon dismissal or trial of such appeal.

Appeals, how
disposed of.

§ 13. All appeals herein provided for shall be placed upon the law docket of said court, the same as in other cases in law; and the city of Quincy shall be considered as in court for all purposes, at the first term thereof, after the expiration of five days from the time of filing the appeal bonds.

Report filed.

§ 14. When an appeal shall be taken as above provided, the circuit clerk of said county of Adams shall, within twenty-four hours after the filing of the appeal bond, notify the clerk of the city of Quincy, and the said city clerk shall immediately file a complete transcript, certified to by him under the corporate seal, of the report of the commissioners and all proceedings of the council connected therewith.

On failure to
prosecute ap-
peal.

§ 15. When any person or persons shall fail or neglect to prosecute an appeal taken in said circuit court, as hereinbefore provided, the same shall be dismissed, and judgment rendered against the party or parties who had taken such appeal for the costs of said city expended in such appeal; and when the city of Quincy shall fail or neglect to appear, by counsel, in such court, and defend, judgment shall be taken against the city for all costs of such appeal.

Trial by jury.

§ 16. The trial of appeal to said court shall be by jury, unless the parties otherwise agree. The question to be presented for trial shall be, as to each and every appellant in the case, whether such appellant is entitled to any compensation for land appropriated by the city, and if so, how much; and the court shall cause to be expressed, either in the verdict of the jury or the finding of the court, the several and especial right and claim of every appellant in the case.

§ 17. The judgment of the court shall be, upon verdict of jury or finding of court, in substance that all the interest of the appellants and all persons in the property appropriated shall vest absolutely in the city of Quincy, upon the payment, tender or deposit, by the city, of such assessment or assessments as are in the verdict or findings aforementioned.

Judgment of court shall vest in city.

§ 18. The proceedings in court under the provisions of this act shall be the same as in appeals from justices of the peace, so far as applicable, except as varied by the provisions hereof.

Proceedings of trial in court.

§ 19. No person shall be benefited or affected by the verdict on any appeal, unless he, she or they were a record party to the same.

Must be a party of record.

§ 20. If no appeal be taken from the report of the commissioners, or if an appeal be taken and dismissed, or if the court sustain the report of the commissioners or adjudge against any appellant, the city council shall proceed to make compensation accordingly and collections of the amounts assessed in such manner as may be prescribed by ordinance.

Council, make compensation.

§ 21. Reports of commissioners shall be conclusive evidence that they performed all the duties required by them. In case any compensation cannot be tendered in said city of Quincy, or the same be refused, the same shall be deposited with the city treasurer, or in such manner as the city council shall direct, for the benefit of such parties as shall be entitled to the same, of which the city clerk shall give notice for seven days, in some newspaper published in said city; and such deposit and notice shall be equivalent to actual payment for the purposes of investiture of title in said city.

Report of commissioners conclusive evidence

§ 22. In determining upon the compensation to be paid for the appropriation of any property to public use, under this act, the benefits to the owner or owners by reason of such appropriation and public use, to accrue or arise, in the judgment of the persons or officers making the assessment, and not common to property generally in the locality of the property so to be appropriated, shall be considered and deducted from such estimated value of the property so to be appropriated.

Compensation, mode of determining.

CHAPTER IX.

WATER WORKS.

SECTION 1. The city of Quincy is hereby authorized, through the agency of a board of water commissioners, to be established as hereinafter provided—

Water works, to construct.

First.—To erect and construct water works, either within or without the corporate limits of said city, for the purpose of supplying the inhabitants thereof with a sufficient

Provide water

quantity of good and wholesome water—to be taken from any point in the Mississippi river or elsewhere.

Hydrants.

Second.—To construct reservoirs, jets, public and private hydrants, and lay pipes in and through all the streets, lanes, alleys, avenues and highways of said city, and, with the consent of the city council, to construct fountains in the public squares or parks, or other public grounds of said city.

Purchase real estate.

Third.—To purchase, hold and convey any real or personal estate which may be necessary and proper to carry out the object and intention of this charter.

Appointment of officers.

Fourth.—To appoint and remove such officers, agents and employees as they may deem necessary; to fill all vacancies which may occur among said officers, agents and employees, and fix their compensation.

Rules and regulations.

Fifth.—To make all needful rules and regulations, concerning the use of water supplied by the water works of said city, and do all acts and make such rules and regulations for the construction, completion, management and control of the said water works, as may be deemed expedient for the purpose of carrying this chapter into effect.

Pay interest on bonds.

Sixth.—To levy and collect a tax, not exceeding four mills on the dollar, on the total assessed valuation of the real estate in the city of Quincy, and personal property of the residents thereof; which tax is to constitute a fund to provide for the interest on the bonds hereinafter mentioned, and for any deficiencies in the expenses of maintaining and repairing or extending said water works.

Bonds, when payable.

Seventh.—To issue bonds of the city of Quincy, bearing interest at a rate of not more than eight per centum per annum, principal and interest payable in the city of New York or elsewhere, and for a sum not more than six hundred and fifty thousand dollars, and to negotiate said bonds for cash as hereinafter provided—the fund established by the sale of said bonds to be applied to the construction of water works, and for expenditures connected therewith, and for no other purpose whatever.

Issue additional bonds.

Eighth.—To issue, from time to time, additional bonds, in the aggregate not more than two hundred thousand dollars; which bonds shall stand on the same footing and be subject to the same restrictions as is provided in the foregoing clauses, and which shall be disposed of in the same manner as is hereinafter prescribed concerning the bonds to be issued for the construction of said water works—the proceeds arising from the sale of said additional bonds to be applied to the extension and enlargement of the said water works, as the growth and increase in extent of the said city of Quincy may require.

Aqueducts and reservoirs.

Ninth.—To construct such aqueducts, along the shore of the Mississippi river, or in the highways or elsewhere in the county of Adams, and to construct such pumping works,

break-waters, subsiding basins, filter beds and reservoirs, and to lay such water mains, and to make all other constructions in said county, as shall be necessary in obtaining from the Mississippi river, or elsewhere, a sufficient and abundant supply of pure water for said city of Quincy.

Tenth.—To extend aqueducts, in lead pipes or other constructions, into said Mississippi river, as far as may be required to insure a supply of pure water, and to erect a pier or piers in the navigable waters of said river, for the making, preserving or working of said pipes or aqueducts: *Provided*, that such piers shall not interfere with the navigation of said river. Erect piers.

Eleventh.—To purchase such books, charts and other works as may be found necessary or useful, and cause such surveys to be made within the said city, and outside of its limits, as may be required for the objects of this chapter. Surveys, etc.

§ 2. Within thirty days after the passage of this act it shall be the duty of the mayor of said city of Quincy to appoint, by and with the advice and consent of the majority of all the aldermen elected, three competent persons, who shall have been residents of said city of Quincy for a period of at least five years, and are voters therein, to serve as a board of water commissioners of the city of Quincy, who shall immediately qualify and enter upon the duties of their office, and be subject to all the provisions of this chapter. The said commissioners shall hold their offices, respectively, for the terms of two (2), four (4) and six (6) years and until their successors are duly appointed and qualified, and shall, within ten days after their qualification, as provided in section three of this chapter, proceed to determine, by lot, their respective terms, in the presence of the city council, and the result shall be recorded in the proceedings of the city council. Appointment of commissioners.

§ 3. Each member of the board of water commissioners, appointed as heretofore prescribed, shall, within ten days after his appointment, become bound to the city of Quincy, with two or more sureties, resident freeholders of the city, in the penal sum of fifty thousand dollars, conditioned for the faithful performance of all the duties required of him as a member of said board, the sufficiency of which sureties shall be certified by the mayor and city clerk of the city of Quincy; and the said commissioners shall at any time give any further security which may be required by the city council. Each member of said board shall, before entering upon his duties, in addition to the oath required by the constitution of the state, take and subscribe, and file in the office of the city clerk of the city of Quincy, an oath, or affirmation, that he will not become interested in the sale of any land necessary for the construction of said water works, nor in the sale or negotiation of the securities of the city issued for the purpose of build- Commissioners to give bond.

ing said works, nor in any benefit or profit whatsoever on account of the deposit of any of the funds of the board, and that he will neither be concerned or interested, pecuniarily, in any contract or work or materials for or about the construction, erection or repairs of said water works, while a member of said board.

Organization.

§ 4. The said board of water commissioners shall organize by selecting one of their number to preside over their deliberations, and by appointing a secretary, who may also be a member of said board, and whose duty it shall be to preserve a faithful record of all the proceedings of said board. This record shall at all times be subject to the inspection of the city council, and on the first of May and the first of November, in each year, and at such other times as may be directed by the city council, the secretary shall make out and lay before said council a particular report of all the acts and proceedings of the board, and the condition and progress of the work under their charge.

Vacancies, how filled.

§ 5. At the next regular meeting of the city council previous to the time of expiration of the term of any member of the said board of water commissioners, it shall be the duty of the mayor of said city, by and with the consent and approval of a majority of all the aldermen elected, to appoint a competent person to fill the vacancy about to occur in said board; who shall hold his office for the term of six years, and shall, as soon as said vacancy occurs, qualify and give bond as aforesaid, and enter upon his duties as herein prescribed.

Appointments, how made.

§ 6. In case of a vacancy or vacancies occurring in said board by reason of the death, disability or resignation of a member or members of said board, or from any other cause, the appointment to fill such vacancy or vacancies shall be made for the unexpired term of the member or members vacating, at the next regular meeting of the city council, in the manner and with all the requirements hereinbefore provided; and the new member or members shall qualify and enter upon the duties of the office as heretofore prescribed: *Provided*, that no appointment shall be required to be made to fill one vacancy in said board which occurs within two months of the expiration of the term of office of the member vacating.

Salaries of the commissioners.

§ 7. The said board of water commissioners shall be paid, for their services from the time of their appointment until the expiration of their term of office, as provided in this chapter, yearly salaries, as follows, viz: To each, the sum of two thousand (2000) dollars, payable quarterly; and the members of said board shall devote their entire time and attention to the duties of their said office, and shall not hold any other office of profit or attend to any other business, as an occupation, which may interfere with the duties of the office.

§ 8. The said board shall, with all dispatch, prepare and resolve a plan for the permanent water works best suited to the circumstances of the city of Quincy, capable of affording a sufficient daily supply of good and wholesome water, and admitting of future extensions; and, for the purpose of procuring and determining said plan, the said board shall have authority to have such surveys, plans, charts, drawings and statements prepared, and employ such engineers and surveyors, and such other assistants, as they may deem necessary or expedient, and to enter upon any land or water, within or without the corporate limits of said city, for the purpose of making surveys or constructing any of the works authorized by this chapter, and to agree with the owner or owners of any real estate which may be required for the purposes of this chapter, as to the amount of compensation to such owner or owners for the real estate so taken or the amount of damages to be paid to such owner or owners, by reason of the construction of any of the works hereby authorized; but the title to all real estate purchased for use of said water works shall be taken in the name of the city of Quincy, and no such purchase shall be made without the approval of the city council of said city.

Plan for construction of water works.

§ 9. In case of disagreement between the board of water commissioners and the owner or owners of any party interested in property which may, in the judgment of said board, be required for any of the purposes specified in this chapter, as to the amount of compensation to be paid to such owner or owners or party in interest, or in case such owner or party interested shall be an infant, a married woman, or insane, or absent from the state, or in case of disagreement between the said board and any owner or owners of or party interested in such property, touching the amount of damages arising from the construction of any part of the work hereby authorized, the said board shall have the right to condemn said property, or to have the amount of such damages ascertained, or both; and the proceedings of the condemnation of such property, or the ascertainment of such damages, or both, shall conform, as near as may be, to those specified and provided in chapter eight of this act.

Compensation for land taken.

Infant or female covert.

§ 10. The city council of the city of Quincy shall have power to remove from office any member of said board of water works commissioners, by and with the consent of a majority of all the aldermen elected, and fill his place by other appointment.

Removal from office.

§ 11. The said board of water commissioners shall, from time to time assess, as water rents or assessments, such amounts as they shall deem equitable, upon the valuation of any lots of land which shall abut or adjoin any street, avenue or alley in said city, through which the dis-

Water rents.

tributing pipes of the water works of said city may hereafter be laid, which shall have a building or buildings thereon which can be supplied with water from the said pipes. The said assessment shall be on the said lots and on the building or buildings thereon, whether the water from the water works of said city shall be used in such building or buildings, or on such lot, or not; and the said assessment shall be and become a continuing lien or charge upon all such lots, and the building or buildings situated thereon, as in the case of assessments otherwise made, and shall be collected in the same manner as herein provided for other water assessments.

Erect metres.

§ 12. The said board shall have power to attach metres to any premises using water, to enable them to determine the amount to be assessed against such premises therefor, and to make assessments on account thereof, from time to time, on persons and property therefor; which shall be a charge and lien on the lot and building or buildings, and may be collected as hereinbefore provided.

Inspection of record of rents.

§ 13. An accurate record of all water rents or assessments shall be kept by said board, which shall be subject to inspection.

Collection of water rents.

§ 14. Ten days prior to the day designated by the board for the semi-annual or other periodical payment of the water assessments, they shall advertise, in some newspaper published in said city of Quincy, that the said water assessments will at such time become due and payable; and if such assessments are not paid within thirty days from the day fixed, as above, for their payment, then the said board shall have power to add to such assessment an amount not exceeding ten per cent. thereof; and on premises assessed, but not supplied with water, the said board may make a discount on the assessment, if the same be paid within periods to be fixed by the board.

When to collect.

§ 15. Commencing at a period to be fixed by the said board of water commissioners, and annually thereafter, on or before the last day in May, the said board shall issue a warrant or warrants, directed to the city collector, (charging him with the amount collectable thereon, and taking his receipt therefor,) commanding him to make the amounts set against the several lots or parcels of land described in said warrant—being the amount of water rents or assessments which shall remain unpaid on said lots for the year ending January first, next preceding the time of the issue of said warrants—out of the goods and chattels of the respective owners of said lots of land, or, in default thereof, by sale of the lot or lots upon which the assessments, lien or levy is made or exists; and the same proceedings shall thereupon be taken with reference to said warrants issued by said city for the collection of assessments for the improvement of streets, and they shall have the same force and effect,

Penalty for non-payment.

excepting that the said collector shall pay over the amounts collected by him to the said board of water commissioners; and if any lots of land be struck off to the said city at the sale of such water rents or assessments, as is provided in the case of other taxes or assessments, the certificate of the sale thereof shall be issued to the said water commissioners, and shall be held by them for the use and benefit of the water works of said city. Said board shall have the same rights under such certificate as other purchasers at tax or assessment sales; and said certificate shall be assignable by the indorsement of the president of said board. Said warrants for the collection of water assessments, when issued to the said city collector, shall have the same force and effect as warrants issued to the said collector by said city for the assessments for improving streets—like powers, rights and duties being hereby conferred and imposed upon the said city collector, and on all parties interested, except as provided in this section: *Provided, however,* that nothing in this section shall be so construed as to prevent said board from resorting to any other method for the collection of water rents and assessments which may be authorized in this chapter.

§ 16. If, in the issue of the said warrants to the said city collector for any one year, the assessment against any lot or lots should be omitted therefrom, or if, from any cause, the assessments on any lots should not be collected under such warrants, the said board may, in their warrants to be issued the next year to the city collector, include such back assessments; or the amounts with which such lots are chargeable may be collected out of the personal property of the owners of the lots or of the buildings, by the issue of the warrants of the board, under the corporate seal, and attested by the city clerk, directed to the city marshal, or any constable of said city, commanding him to make the amount specified in such warrant, together with the costs, and such fees as constables are entitled to by the laws of this state, out of said personal property; and the constable, in such case, shall levy upon any personal property of the person or persons against whom the same is issued, and shall sell the same at public auction, after giving ten days' notice of the time and place of sale, in some newspaper published in said city. Duty of collector

§ 17. The said board shall cause to be printed on each water permit issued to any person using the water, a copy of all rules and restrictions, regulating the use of the water, which shall be adopted by them; and they shall further report a copy thereof to the city council, who shall thereupon pass an ordinance establishing such rules and regulations, and providing penalties for their violation; which penalties may be enforced in any court having jurisdiction of any offense against any of the ordinances of the said Board to make rules for use of water.

Stop supply of water. In all cases where said water rents or assessments are not paid, as required by this chapter, and the rules, regulations and ordinances passed in pursuance thereof, and in all cases where the rules and restrictions caused to be printed on said permit by said board are not complied with, the said board shall have the right to stop or cut off the supply of water from any premises where payment or compliance with such rules or regulations is refused or neglected; and the shutting off of the water from such premises shall not make void the assessments thereon, but they shall be held for the assessment, as in case of lots which are not supplied with water, but which abut upon a street or alley where the pipe is laid.

Construction of hydrants for extinguishing fires. § 18. It shall be the duty of said board to construct hydrants of sufficient size and capacity, and in such localities, as they shall deem desirable, for the purpose of extinguishing fires.

Accounts kept. § 19. The said board of water commissioners shall keep, or cause to be kept, a full and true account, in suitable books, of all licenses issued for the use of water, and all moneys received on account of the use of water, (according to the provisions of any ordinance of the city of Quincy;) and the whole of the net income and revenue so arising, together with the fund produced by general taxation for water purposes, is hereby solemnly and irrevocably pledged—

Pay interest on bonds issued. *First.*—To the payment of the interest on the bonds to be issued under this chapter, and any residue to the liquidation of the principal of the same.

Repairs. *Second.*—To the support and maintenance of the water works herein authorized, and the costs and expenses of any necessary repairs or extensions thereof; and,

Indebtedness. *Third.*—To the purchase of any bonded indebtedness of the city of Quincy, whenever a surplus in the water fund may exist over and above the requirements firstly and secondly stated above.

Compensation of employees. § 20. The said board of water commissioners shall, at [its] discretion, appoint, employ and discharge all officers, agents and servants necessary for the management and service of the said water works, and shall determine the compensation to be paid to each one so employed: *Provided*, that in no case there shall be paid to the engineer and superintendent of said water works more than three thousand (3,000) dollars per annum, nor to any other officer, agent or servant, employed by said board, more than two thousand (2,000) dollars per annum.

General powers of commissioners. § 21. The said board of water commissioners shall have the control of all matters relating to water supply in the city of Quincy; shall make all needful rules and regulations to govern its own deliberations, and for the observance of the officers, agents and servants by it employed;

shall determine the penalty and conditions of the bond, if required of any such officer, agent or servant; and shall have full power and authority to make such by-laws, rules and regulations concerning the water supply, and the rates and charges to be paid therefor, as shall by said board be deemed expedient and proper.

§ 22. The said board of water commissioners, as soon as the plans and specifications for said water works have been prepared and adopted, shall make a report to the city council, setting forth the nature and amount of the work proposed to be executed, and the amount which will be required for such purpose, within a period to be stated in said report; which report shall be accompanied by an estimate of the cost of the things required to be purchased, and of the work to be done; and the city council may thereupon approve the issue of the whole amount of bonds called for by such report, or such part thereof as the said council may deem expedient. The said board of water commissioners shall proceed immediately to negotiate said bonds for cash, in the manner they may deem most advantageous to the interests of said city of Quincy: *Provided*, the terms of sale shall be approved by the city council. Reasonable commissions to agents or brokers employed in procuring the sale or negotiation of said bonds may be paid by said board; and no contract or agreement for the purchase of real estate, or for any expenditure in the construction of said water works, shall be made, unless the money necessary therefor shall have been previously obtained and deposited, as hereinafter provided, subject to the order of said board.

Report to city council.

§ 23. The doing of all work, and the furnishing of all materials and supplies, for the water works contemplated by this chapter, shall be let out by the said board of water commissioners to the lowest and best bidder, except in cases where it is not practicable to do such work or furnish such materials and supplies by contract; and should the said board have special cause to reject the lowest bid for any of said work, they may accept a higher bid, with the consent and approval of the city council.

Contracting for erection works.

§ 24. The performance of all contracts let out as aforesaid, shall be secured by at least two securities, resident of the city of Quincy or county of Adams, to be approved by said board, and said board shall fix the amount of said security, provide the forms of all contracts to be submitted to and approved by competent legal authority, and shall take such steps as may be required to secure the interests of the city of Quincy, in all contracts and agreements for the construction, establishment and maintenance of the water works authorized by this chapter.

Contractors to give bond and security.

§ 25. The proceeds of the sale of all bonds authorized by this chapter, and also the revenue derived from the

Proceeds, deposit in banks.

rents and charges for the use of water, and from the special tax heretofore authorized for water purposes, shall be placed on deposit by said board of water commissioners in such bank or banking institution, in the city of Quincy, as will receive the same on the most advantageous terms to the city of Quincy : *Provided*, that satisfactory security be given for the safe keeping thereof, which security must be approved by the board of water commissioners and the city council of said city; and all money to be disbursed out of said deposited fund shall be drawn upon warrant, signed by the secretary of the board of water commissioners.

Commissioners
to report when
more funds are
needed.

§ 26. It shall be the duty of said board of water commissioners, on or before the first Monday in January, in each year, to report to the city council of the city of Quincy what, if any, sum will be needful by said board, over and above the revenue of said water works, to meet the payment of interest or principal of the bonds authorized by this chapter, or to furnish funds for the maintenance, repairs or extension of said works, specifying the amount required for each; and the said city council shall, thereupon, levy a sufficient tax to meet the interest on said bonds, as specified in said report, but may approve or reject the recommendation in said report, for the levy of a tax for other purposes besides the payment of said interest. The tax so levied shall be collected by the city collector in the manner provided by law for the collection of other taxes in said city, and the amount thereupon received by said collector shall be applied only as directed herein, and for no other purpose whatever, and shall be paid over to the said board of water commissioners without hindrance or delay. In the collection of all taxes, water rents and assessments for the purpose mentioned herein, the city collector shall be required by the said board to give ample and satisfactory security for the faithful performance of the duties required of him in this chapter.

Record of water
bonds issued.

§ 27. It shall be the duty of the board of water commissioners to keep an accurate record of all water bonds; which record shall at all times exhibit the number, date and amount of each bond and coupon, the rate of interest, to whom issued or sold, when and where payable, and the particular bonds at any time outstanding; and the said board shall provide for the payment of the interest on said bonds, and also the principal, as the bonds become due, and apply all net revenue and taxes, collected for such purpose, to such payment.

Board to audit
all accounts.

§ 28. The board of water commissioners shall carefully examine and audit all accounts presented to it for work done or materials and supplies furnished under contract or otherwise, and for all land or other property purchased or services rendered, and when satisfied of their correct-

ness, shall cause the same to be paid, keeping an exact and complete record of all accounts so paid.

§ 29. All field and memorandum books and drawings used and made for and during the construction of any part of the water works, shall be carefully filed and preserved in the office of said board. A correct map of the whole work shall be made and preserved in said office, on which shall appear the location and size of the several reservoirs, engine houses, conduit and distributing pipes, stops, valves and fire plugs, together with the location and dimension of all lands held for the water works, and such other information relating thereto, as may be useful and convenient to retain.

Profile and map preserved.

§ 30. In case of default in payment of the interest on any of the lands provided for in this chapter, for the space of one year, the holder or holders of the same may present the same with affidavit or protest of due presentation for payment and refusal of payment, to the auditor of public accounts of this state, who shall thereupon register the same, according to the provisions of an act entitled "An act relating to county and city debts, and to provide for the payment thereof by taxation in such counties and cities," approved February 13, 1865, and from such registration, the provisions of said act shall apply to said lands the same as if originally issued under it, and from thence they shall be paid in manner in said act provided, without regard to any rate of interest or special provisions of the same; and in case of any such default, and evidence thereof presented to said auditor as aforesaid, the holders of any and all the bonds, issued under this chapter, shall be entitled, without further proof, to due registration as aforesaid, of their like bonds and payment thereof, according to the provisions of said act.

Duties of the auditor of state.

§ 31. The city council of the city of Quincy is furthermore authorized and empowered, should said council deem it not expedient for the interests of said city to organize the construction and management of the water works on the plan as hereinbefore provided, to confer on any individual or associated company all the rights and privileges granted said city council in this chapter, with such restrictions and qualifications in relation thereto as said council may, by ordinance or contract, prescribe; and in so doing, may retain and reserve any rights and powers appertaining thereto, and may provide for the future resumption, by the city, of the powers of this chapter, and the acquisition by the city of any such water works constructed by such individual or associated company: *Provided*, no such transfer shall be made without providing for revenue to the city of Quincy, in lieu of city taxation on the property thereof, of not less than five per cent. of the gross income on receipts of the same.

Powers of the city council to transfer water work.

CHAPTER X.

MISCELLANEOUS PROVISIONS.

Vouchers.

SECTION 1. The city council shall have power to issue vouchers or warrants on the treasury for such amounts as may have been duly audited and allowed, in such sums as may be deemed proper and right: *Provided*, that such warrants or vouchers shall not be made so as to draw interest on the same.

Annual financial statement.

§ 2. The city council shall cause to be published, annually, a full and complete statement of all moneys received and expended by the corporation during the preceding year, and on what account received and expended.

Exemption from taxation.

§ 3. All property, real and personal, in the city of Quincy shall be exempt from taxation for county purposes, except as provided in an act entitled "An act relating to the county of Adams and city of Quincy," approved March 8, 1867, and, also, except as provided in an act now pending before the general assembly, entitled "An act to enable the county of Adams to provide for and purchase or condemn grounds for and erect a new court house and jail, and for other purposes," should the same become a law: *Provided*, the last named act becomes a law, that the act approved March 8, 1867, be and the same is hereby repealed.

County exempt from support of paupers.

§ 4. The county of Adams shall be exempt from the support of paupers within the limits of the city of Quincy, but the city council shall provide such means and pass such ordinances as they shall deem proper for the support of their own paupers.

Incompetent judges and witnesses.

§ 5. No person shall be an incompetent judge, justice, witness or juror by reason of his being an inhabitant or freeholder in the city of Quincy, in any action or proceeding in which the said city shall be a party in interest.

Fines, paid to city treasury.

§ 6. All fines, penalties and forfeitures inflicted by or recovered before the police magistrate of said city of Quincy, whether for violation of the city ordinances or the laws of the state of Illinois, shall be paid into the treasury of said city; and it shall be the duty of said magistrates, and all other officers, to account for and pay over all such fines, penalties and forfeitures as may be collected by them, to the treasurer of said city, on the first Mondays of March, June, September and December of each year.

All actions and suits vested in corporation.

§ 7. All actions, rights, fines, penalties and forfeitures, in suit or otherwise, which have accrued under the several acts consolidated herein shall be vested in and prosecuted by the corporation hereby created.

Vested property

§ 8. All property, real, personal or mixed, belonging to the city of Quincy, is hereby vested in the corporation created by this act, and the officers of said corporation now in office shall, respectively, continue in the same until super-

ceded in conformity to the provisions hereof, but shall be governed by this act, which shall take effect from and after its passage.

§ 9. This act shall be deemed a public act, and may be read in evidence, without proof, and judicial notice shall be taken thereof in all courts and places. Evidence of act.

§ 10. This act shall not invalidate any legal act done by the city council of the city of Quincy, or by its officers, nor divest their successors under this act of any rights of property or otherwise, or liability which may have accrued to, or been created by, said corporation prior to the passage of this act. Act valid.

§ 11. All officers of the city created conservators of the peace by this act, shall have power to arrest or cause to be arrested, with or without process, all persons who shall break or threaten to break the peace, commit for examination, and, if necessary, detain such persons in custody over night, in the watch house, or other safe place, and shall have and exercise such other powers as conservators of the peace as the council may prescribe; and the members of the police force shall be conservators of the peace. Arrest, with or without process.

§ 12. The city of Quincy shall not be liable in any case for the board or jail fees of any person who may be committed by any officer of the city, or any magistrate, to the jail of Adams county, for any offense punishable under the laws of this state. City not liable for jail fees.

§ 13. The city council shall have power to pass all ordinances which may be necessary and proper, for carrying into execution the powers specified in this act, so that such ordinances be not repugnant to nor inconsistent with the constitution of the United States, or of this state: *Provided*, that any ordinance may be suspended by a majority vote of all the aldermen elected. Power to pass ordinances.

§ 14. The style of the ordinances shall be, "*Be it ordained by the City Council of the City of Quincy*;" and the same, when printed and published by the authority of the city council, shall be received in all courts and without further proof. Style of ordinances.

§ 15. All ordinances passed by the city council shall, within ten days after they shall have been passed, be published in some newspaper published in the city of Quincy, and until thus published, or in book form, shall not be in force. Publication of ordinances.

§ 16. There shall be a revision and publication of the city ordinances every five years or oftener, if required. Revision of.

§ 17. All ordinances, regulations and resolutions now in force in the city of Quincy, and not inconsistent with this act, shall remain in force under this act until altered, modified or repealed by the city council after this act shall take effect. Conflicting acts repealed.

City not required to give security for costs.

§ 18. The city of Quincy shall not be required to give security for costs in any prosecution or suits arising under the charter or ordinances of said city.

Powers of the council.

§ 19. Nothing in this act contained shall be so construed as to deprive the city council of said city of any power or authority conferred upon the same by the act incorporating said city and the various acts amendatory thereto, but the city council shall possess and enjoy all the powers heretofore conferred upon the same, except so far as such powers and authority have been expressly modified or repealed by this act, or the acts heretofore mentioned.

Construction of act.

§ 20. No fine, penalty or liability incurred, nor any act done or proceeding unfinished at the taking effect of this act, shall be hereby affected or discharged; and all ordinances of the city council shall remain in full force, not contrary to the provisions of this act. Where "person" is named it shall include persons and corporations, and where the singular number is used it shall include the plural, and where "he" is named it shall include they, she or it, according to the general object and subject.

Act to be submitted to voters

§ 21. This act shall be submitted to a vote of the legal voters of the city of Quincy, at an election to be held in said city at the usual places of holding elections therein, on the first Tuesday of April, A. D. 1869; and such election shall be conducted in the manner now provided by law for other elections in said city. The ballots used at such election shall be printed or written "For Charter" or "Against Charter;" and if a majority of the votes cast on the subject shall be for charter, then this act shall be and remain in force; otherwise it shall be null and void. The votes shall be canvassed and the returns made thereof in the manner now provided by law for the election of city officers in said city of Quincy. The city clerk of the city of Quincy shall post the number of notices of this election required for ordinary elections in said city, and cause this act to be published in full in the Quincy Herald, Quincy Whig and Quincy Tribune, newspapers printed in said city, at least ten days before said election; and the result of said election shall be certified by the city clerk of said city of Quincy, under the seal of said city, to the secretary of state within ten days after said election.

Conflicting acts repealed.

§ 22. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

§ 23. This act shall take effect and be in force from and after its adoption by vote of the people, as provided in this act.

IN FORCE April 15, 1869.

I, EDWARD RUMMEL, Secretary of State, do hereby certify that the foregoing act of the Twenty-sixth General Assembly of the State of Illinois was filed in the office of the Secretary of State, April 15, 1869, without the signature of the Governor, but, by virtue of Section 21, Article IV, of the Constitution of this State, the same is now declared a law, having been retained over ten days by the Governor after its reception.

EDWARD RUMMEL, Sec'y of State.

AN ACT supplemental to an act entitled "An act to reduce the law incorporating the city of Quincy, and the several acts amendatory thereof, into one act, and to amend the same." In force when adopted by legal voters.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all the provisions of the said bill or act to which this is a supplement, and mentioned in the title hereof, relating to the exercise of any judicial authority by the mayor of the city of Quincy, also, all of chapter six of said bill or act relating to the fire department of said city, also, all the provisions of chapter nine of said bill or act relating to the issue of two hundred thousand dollars of additional water works' bonds, also, the proviso of section thirty-one of said chapter nine, also, all the provisions of said bill or act relating to the publication of the same in newspapers and to the submission of the same to a vote of the voters of said city, shall be of no force nor deemed a part of said bill or act; and all the provisions of chapter eight of said bill or act relating to the levy and collection of special taxes on the property specially benefited by the grading of streets, to pay the expense of the same, shall apply only to territory hereafter to be added to said city, but the same shall apply to all portions of all streets used or intended for sidewalks. Application of this act.

§ 2. The said bill or act to which this is a supplement, when approved by the executive, shall, by order of the city council of said city of Quincy, be submitted to a vote of the legal voters of said city, as follows: All of the same, except chapter nine, relating to water works, shall be voted on separately, and the ballots shall be "For Charter" and "Against Charter;" and said chapter nine relating to water works shall be voted on separately, and the ballots shall be "For Water Works" and "Against Water Works." Said election shall be held, returned and canvassed in the same manner and with the same notice as in case of annual city elections, but no new registration of voters shall be necessary, and the last registration shall be adopted and used at said election. And if a majority of the votes cast at said election, on the question of for charter and against charter, shall be for charter, then all said bill or act shall take effect, except said chapter nine relating to water works, and not otherwise; and if a majority of the votes cast at said election on the question of for water works and against water works, be for water works, then said chapter nine relating to water works shall take effect, and not otherwise. Submitted to legal voters.

§ 3. The city council of the city of Quincy shall, more than ten days prior to the holding of said election, cause to be published in pamphlet form, both in the English and German languages, the bill or act to which this is a supplement and this act, or so much of said bill or act as shall be or remain part of the same under the provisions of this sup- Act to be published in pamphlet form.

plemental act, and have not less than one thousand copies of the same ready for public distribution, at the office of the city clerk, at least ten days prior to said election; and the record statement of the result of said election shall be sufficient proof of such result.

Construction of
act.

§ 4. Sections twenty-one, twenty-two and twenty-three, of chapter ten of the act to which this is a supplement, shall have no force nor be deemed a part of the same; and neither said act nor this supplement shall operate to repeal any law or part of a law not inconsistent with said act and this supplement. This supplement shall take effect from its passage, and the act to which this is a supplement when, and to the extent, the same shall be adopted at the election herein provided for.

APPROVED April 17, 1869.

— —

In force March
17, 1869.

AN ACT to amend article seven, and sections 5 and 6 of article eight, of an act entitled "An act to reduce the charter of the city of Rock Island, and the several acts amendatory thereof, into one act, and to amend the same," approved February 16th, 1857.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the city council of the city of Rock Island shall have power, from time to time—

Improvement
of streets, alleys
and highways.

First—To cause any street, alley or other highway to be graded, regraded, paved, leveled, macadamized or planked and keep the same in repair, and alter and change the same.

Second—To cause crosswalks, main drains and sewers to be constructed and laid, re-laid, cleansed and repaired, and regulate the same.

Third—To grade, improve, protect and ornament any public square, or other public ground.

Expenses to be
paid out of gen-
eral fund.

§ 2. The expenses for the foregoing improvements shall be paid by the city, out of the general improvement fund; and for the purpose of establishing a system of sewerage and drainage, the city council shall have power to cause the city to be laid off into districts, to be drained by principal and lateral sewers or drains, or tubular sewers or drains, having reference to a general plan of draining by sewers and drains, for the whole city, and number and record the same.

Nuisances.

§ 3. All owners or occupants of lots or lands whose premises the city council shall declare to be nuisances, and order the same to be graded, filled up, drained or otherwise improved, if they shall not fill up, drain or otherwise improve their lots or lands within the time and in the manner as may be prescribed by ordinance, or otherwise, the city council may order the said lots or lands to be graded,

filled up, drained, or otherwise improved, and assess the expenses thereof, by an order to be entered in their proceedings, upon the lots and lands, respectively, and collect the same in the same manner as the general taxes levied by the city council are collected, and sell the said lots and lands, if such assessment is not paid, in the same manner as lots or lands are sold for delinquent city taxes. A suit may also be maintained against the owner or occupant of such premises, for the recovery of such expenses, as for money paid and laid out at his or her request.

§ 4. At the annual election of city officers, by the city council, the city council shall choose, by ballot, three of the street supervisors elected, to act as sidewalk commissioners for the current year, who shall, within ten days after their election, make oath, in writing, before the city clerk, that they will, to the best of their skill and ability, perform all the duties enjoined on them by law as such commissioners. The city council may, at any meeting, by a majority vote of aldermen present at such meeting, remove any or all of such commissioners and elect any person or persons in their stead, who shall take a like oath of office.

Election of supervisors, etc.

§ 5. When the city council shall order that a sidewalk be constructed, widened or repaired, the city clerk shall give notice to the owner of the lot fronting the place where the sidewalk is ordered to be constructed, widened or repaired, of such order. The notice may be served by any officer of the city, by leaving a copy with the owner, or any person over the age of twelve years, residing on the premises; but if the lot be vacant, a copy of the notice shall be posted on said premises, or as near as may be convenient thereto. The officer serving such notice shall indorse, on the back of the original, the time and manner of service, and file the original with the city clerk, with his indorsement. Said notice may be in the following form:

Sidewalks, etc.
Clerk's duties.

NOTICE.—The city council of the city of Rock Island, at a meeting held ordered that a sidewalk be . . . in front of the following lot, in said city, to-wit: That in case said walk is not . . . in ten days from the date of the service of this notice, the same will be done by said city according to law. Witness my hand, and the seal of said city, this

Form of notice

.....
City Clerk.

§ 6. If, for ten days after the service of said notice, the owner of the lot shall neglect to construct, widen or repair the sidewalk, as ordered, it shall be the duty of the street supervisor of the ward where said lot is situated to construct, widen or repair the same; and when completed, file a report of the cost thereof with the city clerk; which may be in form as follows:

City may lay sidewalk and collect cost.

Form of report. *To the City Council of the City of Rock Island :*

The undersigned, street supervisor of ward, reports that he has the sidewalk in front of lot, at a cost of

.....
Supervisor Ward.

Rate of assessment on property.

§ 7. Upon the filing of such report, the city clerk shall notify the sidewalk commissioners, who shall, within one week after such filing, proceed to the premises where such sidewalk has been constructed, widened or repaired, and assess upon any lot or lots in the city the cost of such sidewalk, or any part thereof, as they, in their judgment, may determine such lot or lots are benefited thereby; and within three days after their assessment they shall file their report and assessment with the city clerk; which may be in form as follows :

Report of commissioners.
Form of.

To the City Council of the City of Rock Island :

The undersigned, sidewalk commissioners of said city, would report that on the day of we proceeded to lot where a sidewalk has been by said city, under the direction of the street supervisor of ward, having first ascertained, from said supervisor's report filed, that the cost of said sidewalk amounts to ; and to the best of our judgment we determine that lot is benefited by such improvement We therefore assess upon said lot the amount of said benefit of

Respectfully submitted.

.....
.....
.....

Sidewalk Commissioners.

Notice by clerk to owner.

§ 8. On the filing of such report the city clerk shall forthwith give notice, to the owner of the property assessed, of the filing of said assessment, and that at the next regular meeting of the city council he or she must appear and show cause, if any they have, why said assessment should not be confirmed; but if ten days shall not intervene between the service of the notice and such meeting, then said report shall be laid over for the action of said council at the next succeeding regular meeting, when the report may be confirmed or referred back to the commissioners for further action. Said notice shall be served, returned, indorsed and filed in like manner as the notice referred to in section five of this act. Said notice may be in form as follows :

Form of notice.

NOTICE.—The sidewalk commissioners of the city of Rock Island have filed with me their report, to the city council of said city, that lot is benefited to the value of by the ... of a sidewalk fronting lot, and have assessed said amount on said first named lot. That on the day of said city council will meet to

examine and confirm said report, when and where you will appear, if you see fit, and show cause why said report and assessment should not be confirmed. Witness my hand and the seal of said city, this day of

City Clerk.

§ 9. Any person who may object to said report and assessment, or any of the prior or subsequent proceedings, shall file his objections with the city clerk, in writing, and the city council shall hear any evidence relating to said objections, and confirm, alter, set aside or refer back said assessment. The cost of constructing, widening or repairing the sidewalks, by the city, shall be paid out of the general improvement fund; and all moneys collected as sidewalk assessments shall be paid back to said fund. Objections.

§ 10. If the owner or owners of any lot or lots assessed shall neglect or refuse to pay said assessment, it shall be the duty of the city clerk, in making up the annual assessment list for the collection of city taxes, to charge, in an appropriate column, against the lot or lots assessed, the amount of the assessment—which amount shall be collected by the city collector as other taxes; and the warrant issued to him for the collection of city taxes shall be the authority to him to collect such sidewalk assessment; and in case said sidewalk assessments are not paid to the collector, the lot or lots assessed may be sold for such assessments, in the same manner and with like effect as lots are sold by the city for delinquent taxes. Refusal to pay assessments.

§ 11. Any person interested may appeal from the order of the city council, confirming any report and assessment of the sidewalk commissioners, to the circuit court of Rock Island county, by filing with the clerk of said court a copy of all the proceedings of record in such assessment, and a bond to the city in double the amount of the assessment, secured and conditioned as in appeals from justices of the peace in civil cases. Upon the filing of said copy and bond, the clerk of the circuit court shall issue a summons against the city to show cause why an assessment for a sidewalk in said city, appealed by, should not be set aside. On the trial of the cause in the circuit court, the party appealing shall be limited, on trial or otherwise, to the written objections to the sidewalk assessment, to be filed by him as provided in section nine of this act; and if, on trial or otherwise, such assessment shall be sustained, the court shall enter judgment against the party appealing for the amount of the assessment appealed from, and interest thereon from day of appeal, with cost of suit; and no person or persons shall be allowed, in any subsequent suit, action or other proceeding, to object to or question said assessment, or any of the prior or subsequent proceedings thereto, unless he shall bring his action against said city Appeal taken.

Trial in circuit court.

by appeal, as aforesaid, to set aside the assessment, within twenty days from the time the assessment was confirmed by the city council.

Suit instituted.

§ 12. The city council may, at any time within five years from the date of the confirmation of the sidewalk commissioners' report and assessment, bring an action of debt against the owner or owners of the lot or lots assessed, before any justice of the peace or circuit court, for the amount assessed, with interest from twenty days after the confirmation by the city council of said assessment.

Clerk's fees.

§ 13. The city council shall have power to prescribe, by ordinance, such fees or compensation, to the city clerk and sidewalk commissioners, as they may deem just and equitable; which shall be added to and made part of the assessment and collected therewith.

Powers of the council.

§ 14. The city council shall have power to construct, lay, relay, repair and cleanse any private drain and regulate the same; and all the proceedings herein provided for the construction, widening and repairing of sidewalks, and assessment and collection of the costs thereof, shall be equally applicable to the construction, laying, relaying and repairing and cleansing and regulating of private drains, and assessment and collection of costs thereof.

ARTICLE VIII.

Act amended.

Be it further enacted, that sections five and six, of article (8) eight, of the act to which this act is an amendment, be amended as follows:

Duties of city clerk.

“Section 5. The clerk shall issue a warrant or warrants for the taxes, and set down in a column or columns ruled for that purpose, the amount of taxes levied, opposite the name of the person or real estate subject thereto. He may set the different taxes down in separate columns, or compute together, as one tax, any two or more of the taxes levied by the city council, and include the total amount of the taxes, so computed together, as one tax in such warrant or warrants, and in all warrants, order of sale, or other proceedings in relation to the collection of taxes under the provisions of this act; and it shall be the duty of the clerk, in making up or issuing said warrant or warrants, to set down for collection, in a column ruled for that purpose, opposite the lot, lots or real estate assessed by the commissioners named in article six, section two, of the act to which this is an amendment, the amount assessed by said commissioners against such lot, lots or real estate, as benefits, by reason of the opening, altering, widening or straightening of any street, alley or highway in said city; and this act shall apply to all such assessments of benefits made by said commissioners since the first day of January, A. D. 1869. And the usual warrant issued to the city collector

Duties of the city collector.

for the collection of the annual city taxes, signed by the mayor and clerk, with the corporate seal thereto attached, shall be the authority to said collector to collect the amount of such assessment of benefits, in like manner and with like effect as other taxes; and if such assessments of benefits are not paid, the lot or lots, or real estate assessed may be sold for such assessment in like manner and with like effect as lot, lots or other real estate are sold for delinquent taxes.

“*Section 6.* All warrants, issued for the collection of general or special taxes and assessments, shall be signed by the mayor and clerk, with the corporate seal thereto attached, and shall contain true and perfect copies of the corrected assessment lists upon which the same may be issued. They shall be delivered to the collector for collection within thirty days after the filing of the corrected lists, unless further time for this purpose shall be given by the city council. If not otherwise paid, the collector shall have power to collect said taxes, with interest and costs, by suit in the corporate name, or by distress and sale of personal property, as aforesaid, after a demand and refusal to pay the same: *Provided*, a notice, published by the collector for ten days, in the newspaper printing the ordinances of the city, shall be deemed a demand, and neglect to pay taxes for twenty days thereafter shall be deemed a refusal. And the said city or corporation shall have power, at any time within two years after the city collector shall, in any year, have returned the warrant or warrants issued to him for the collection of the annual city taxes, to bring on action of debt in the corporate name, before any justice of the peace or police magistrate in said city, against any person or persons who have not paid their personal tax or taxes; and the production of the collector’s delinquent list, sworn to by the collector, shall be *prima facie* evidence that the personal tax of all persons, returned thereon as delinquent, are due and unpaid; and no property, real or personal, of any person or persons against whom said city shall recover a judgment for personal taxes shall be exempt from levy and sale on any execution issued on said judgment. All laws or parts of laws, heretofore passed, in conflict with this act are hereby repealed.

Warrants for collection of taxes.

Suits instituted.

Return of assessment.

Conflicting acts repealed.

“*Section 7.* This act shall be a public act, and take effect from and after its passage.”

APPROVED March 27, 1869.

In force March 4, 1869. AN ACT to amend an act entitled "An act to reduce the charter of the city of Rockford and the several acts amendatory thereof into one act, and to revise and amend the same," approved February 15, 1865.

PUBLIC IMPROVEMENTS AND SPECIAL ASSESSMENTS.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the common council of the city of Rockford shall have power, by ordinance or resolution, to establish the grade of all streets, lanes, alleys, avenues, sidewalks and other highways in the said city, and to alter and change the same, when they shall deem it necessary.

Improvement
of streets, lanes
and highways.

Sidewalks, etc.

§ 2. They shall have power, from time to time, by ordinance, order, resolution or otherwise, to cause any street, lane, alley, avenue, sidewalk, crosswalk or other highway, or any part of the same, in said city to be graded, filled, leveled, walled, curbed, graveled, paved, macadamized, planked or otherwise improved, and to keep the same in repair.

Drains, etc.

§ 3. They shall have power, from time to time, by ordinance, order, resolution or otherwise, to cause gutters, drains and sewers to be constructed, laid, relaid, repaired and cleansed.

Repair streets.

§ 4. They shall have power, from time to time, by ordinance, order, resolution or otherwise, to cause sidewalks and crosswalks to be built and constructed, rebuilt and repaired in or along any street or alley, or part of street or alley or other highway, within the said city, of flag stone, plank or other materials, as they may think proper.

Street lamps, etc.

§ 5. The common council shall have power, by ordinance, order, resolution or otherwise, to erect, or cause to be erected, street lamps, lamp posts, and to regulate the lighting thereof, and, from time to time, to create, alter, extend and regulate lamp districts.

Street im-
provements.

§ 6. They shall have power, by ordinance, order, resolution or otherwise, whenever any street, part of street, alley or other highway in said city shall be graded down or filled up, to cause embankments or retaining walls to be built and constructed and kept in repair along such street, part of street, alley or other highway.

Nuisances.

§ 7. They shall have power, by ordinance, order, resolution or otherwise, to declare any lot or parcel of land in said city a nuisance, and to require the same to be graded down, filled up, drained or otherwise improved.

Expenses for
improvements.

§ 8. Whenever the common council of said city shall determine upon the construction or making of any improvements mentioned in the foregoing sections of this act, or any other public improvement, the making or construction of which is in the discretion of the common council, they may make or cause to be made a careful estimate of the proba-

ble cost and expenses of such proposed work or improvement, and may then proceed to assess or cause to be assessed upon each and all lot, lots or real estate deemed specially benefited by such work or improvement, such amount or part of the cost and expense, or estimated cost and expense, of such work or improvement, together with the cost of such assessment, as such lot, lots or real estate shall be deemed specially benefited, respectively, by such work or improvement.

§ 9. Whenever the common council shall determine upon the construction or making of any of the improvements mentioned in the foregoing sections of this act, or any other public improvement the making and construction of which is in the discretion of the common council, they may proceed and make and construct such improvement, and may then assess or cause to be assessed upon each and all lots and real estate deemed specially benefited by such improvement such amount, part or portion of the cost and expense of such improvement, together with the costs of such assessment, as such lot, lots or real estate respectively, shall be deemed specially benefited by the making of and construction of such improvement. Special assessment.

§ 10. When any such special assessment shall be made and completed, as provided for in the preceding sections of this act, and the same shall be approved by the common council, the clerk of said city shall make out a true copy of such special assessment roll, list or book, and a warrant for the collection of such special assessment shall be made, issued and attached thereto by the clerk and mayor in the same manner and in the same form, as near as may be, as in case of the collection of taxes for general city purposes; and the said warrant shall be of the same force, effect and virtue as warrants for the collection of the taxes for general purposes. The common council shall fix the return day of such warrant, but the same shall not be less than thirty days from the date thereof; and said warrant shall be in force as well after as before such return day. Duties of the clerk.

§ 11. After such special assessment list or roll shall have been made out, and the warrant for the collection thereof made, issued and attached thereto, the clerk shall deliver the same to the city collector for collection, and the collector shall proceed to collect such assessment in the same manner as the taxes for general purposes are collected, and make return of said special assessment roll, list or book, and the said warrant in the same manner, and such assessment list and warrant shall have the same force and effect, and be a lien in the same manner for the same time and to the same extent as taxes, assessments and warrants for general city purposes are. Collector.
Duties of.

§ 12. When any such special assessments shall be made as provided for in the foregoing sections, the common council. General powers of council.

cil may, in their discretion, defer the making and issuing of any warrant for the collection thereof until the making out of the annual or general assessment or tax list roll or book for the collection of the taxes for general purposes; and the city clerk shall enter such special assessment upon such annual list, in a column for that purpose, opposite to the lot, land or real estate so assessed, as a special assessment upon such lot, land or real estate, and the same shall be collected in the same manner as the taxes upon such lot, land or real estate for general city purposes are collected, and, if returned delinquent, judgment may be taken, and sales had therefor in like manner and with like effect as judgments and sales for other delinquent taxes.

Delinquent list
of real estate.

§ 13. In case any of the lots or real estate embraced or contained in any special assessment list and warrant shall be returned by the collector as delinquent, the same proceedings shall be taken and had as provided in article thirteen (13) of the act to which this act is amendatory, and the same proceedings shall be had and taken by the county treasurer and collector, and with like force and effect, as in said article provided in case of other delinquent taxes; and judgment shall be taken and sales had in the same manner and with like force and effect as therein provided.

Assessment lists
valid.

§ 14. No special assessment shall be deemed invalid or illegal in consequence of any informality in making the assessment, or in the assessment list or warrant.

Non-residents.

§ 15. When the collector shall return any lot or real estate, included in any special assessment as delinquent, the said city may sue for and maintain an action at law against the owner of such lot or real estate for the amount of the assessment against such lot or real estate as for money paid, laid out and expended for the use of such owner at his request; and in case the owner of said lot or real estate shall be a non-resident of this state, proceedings may be commenced, had and maintained against such property, by attachment, as in other cases of attachment under the laws of this state.

Damages and
benefits.

§ 16. The common council may, if they can agree with the owners of property deemed specially benefited by any improvement mentioned in this act, stipulate and agree with such owners and each of them upon the amount to be paid by each of said owners toward defraying the costs and expenses of such improvement, in which case no assessment shall be necessary, but such amounts, so agreed upon or stipulated, shall be a lien upon the lot or real estate chargeable therewith, and, if not paid when due, may be entered upon the annual tax list, and collected in the same manner as provided for the collection of other special assessments or taxes, or the said city may sue for and collect the same of such owner, as provided in the last preceding section, and if the owner be a non-resident, then by attachment, as in said section provided.

§ 17. In the case of repairs to any of the improvements mentioned in this act, the common council may cause the same to be made by the proper street commissioner, and authorize and empower him to make and return the special assessment provided for in this act upon the property deemed specially benefited thereby. Duties of the street commissioner.

§ 18. In all cases where the common council shall cause special assessments to be made and collected, as provided in this act, and such assessments shall not be sufficient to defray all the expenses and costs of any improvement for which the same was made, the common council shall cause the balance of such cost and expense to be paid out of funds raised by general assessments and taxation, and in case any such special assessment, or any part thereof, shall not be collected in consequence of any mistake, error or other cause, the council may cause such deficiency to be paid out of such fund raised by general taxation, and they may also cause such special assessment to be remade and collected in the same manner as if such first assessment had not been made. Improvements may be charged to general account.

§ 19. The word person and the word owner, as used in this act, shall be deemed and understood to include, extend to and mean all corporations, incorporated companies or societies of every kind.

§ 20. The common council of the city of Rockford shall have power to make, pass, ordain, publish, amend and repeal all such ordinances, by-laws, rules, orders, resolutions and regulations as they may deem proper and necessary for carrying into execution and effect the powers and authorities granted by this act, so that the same be not repugnant to or inconsistent with the constitution of the United States and of this state, and to enforce the observance of all such ordinances, by-laws, rules, orders, resolutions and regulations by forfeitures, fines, penalties and imprisonment: *Provided*, no such fine, penalty or forfeiture shall exceed one hundred dollars, and no such imprisonment shall exceed six months.

§ 21. Section seven (7) of article fifteen (15) of the act, to which this act is amendatory, is hereby repealed. Section 7 repealed.

GENERAL PROVISIONS.

§ 22. The common council shall have power, by ordinance, to annually levy and collect taxes, not to exceed five mills on the dollar on the assessed value of all taxable real and personal estate, for the purpose of improving and keeping in repair the streets, lanes, alleys, and other highways, which taxes shall constitute the street fund. Streets and alleys.

§ 23. The common council shall have power to regulate, tax, license, restrain, prohibit, suppress and punish within said city the dealing in, sale or giving away of wine, rum, License sale of liquors.

gin, brandy, whisky, ale, beer, and all other ardent spirits or intoxicating liquors, whether distilled, fermented, brewed or compounded.

Billiard tables
and bowling al-
leys.

§ 24. The common council shall have power to regulate, tax, license, restrain, prohibit, suppress and punish billiard halls, billiard tables, pin alleys, ball alleys, bowling saloons, concerts, games, feats and performances within said city, had or kept for gain or public patronage.

Election of
supervisors of
wards.

§ 25. The election of supervisors for the several wards of said city shall be notified, held and conducted at the same time and place, and in the same manner as the elections for aldermen in said wards; and vacancies in the office of supervisor shall be filled in the same manner as vacancies in the office of alderman.

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

APPROVED March 4, 1869.

In force March
25, 1869.

AN ACT to amend the charter of the city of Shelbyville.

Purchase land.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the city of Shelbyville shall have power, and is hereby authorized, to levy and collect a tax, not exceeding one-half of one per centum, upon all the property, both real and personal, within said city, at such time as may be thought best, for the purpose of buying and paying for a tract of land to be used only for burial purposes.

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

APPROVED March 25, 1869.

In force April
9, 1869.

AN ACT entitled "An act to amend the charter of the city of Shelbyville," approved February 16, 1863, and amendatory acts thereto.

Sec. 8 of art.
3 amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section eight, of article third, of said charter, be so amended as to read: "That the mayor of said city shall have power to hold an inferior local court within said city, and shall, as such court, have exclusive jurisdiction in all cases arising under the charter and ordinances of said city, with power to impose fines and forfeitures arising under the charter and

ordinances of said city, and to adjudge and determine upon all questions of nuisance or nuisances within the city limits, and to abate such nuisance or nuisances; and to have jurisdiction, within the county of Shelby, in all actions of debt, assumpsit and trespass to property, both real and personal, when the amount claimed does not exceed one hundred dollars; and said court shall at all times be open for the transaction of business. Said mayor shall have power to issue process and the same shall be returned as in action brought before justices of the peace, and appeals may be taken from the judgments of said court the same as from the judgments of justices of the peace; and all transcripts taken from the records of said court, and duly certified by the mayor, upon being filed in the office of the clerk of the circuit court of Shelby county, Illinois, shall be entered of record in the office of said clerk, and, from the time of filing, the same shall be a lien on all real estate of the judgment debtor the same as judgments rendered in the circuit court; and said clerk shall have power and authority to issue execution thereon the same as on judgments of the circuit court, and the fees of said mayor shall be the same as those of the clerk of the circuit court for similar services.”

Duty of mayor.

§ 2. That the first section of the second article of said charter be amended, so as to read, “There shall be a city council, to consist of a mayor and four councilmen—the mayor to be elected by the legal voters of said city on the first Monday in April, in the year 1869, and on the first Monday in April every four years thereafter, and the board of councilmen shall be elected by the qualified voters of said city at the same time and place; and two of said councilmen, so elected, shall hold their offices for two years and two for one year, and until their successors are duly elected and qualified. At each succeeding election, there shall be two councilmen elected, who shall hold their offices for the term of two years and until their successors are duly elected and qualified. Said election to be held annually on the first Monday in April. At the first election, to be holden on the day and year aforesaid, the two councilmen receiving the greatest number of legal votes cast at such election shall be declared duly elected for the term of two years, and the two councilmen receiving the next largest number of legal votes shall be declared duly elected for one year. And there shall also be elected, by the qualified voters of said city, on the day first mentioned in this section, and on the first Monday of April, in each year thereafter, a supervisor of streets, who shall hold his office for the term of one year from the time of his qualification, as provided by ordinance of said city, and until his successor is duly elected and qualified—subject to removal by the city council for gross and willful neglect of duty: *Provided*, that before any such removal notice shall be given to such officer of the

Sec. 1 of art.
2 amended.

causes of his removal: *And, provided, further*, that in case of the removal of such officer, the city council shall have authority to appoint a suitable person to serve for the unexpired term."

Section 5, art.
4, amended.

§ 3. That section fifth, of article fourth, of said charter, be and the same is hereby amended, so as to read, "To make all necessary regulations to secure the health of the inhabitants; to declare what shall be a nuisance, and to prevent and remove the same; and shall be required to make provision for the support and assistance of all poor persons who have resided in the city for six months next before the time of making application for such support and assistance: *Provided*, that said city shall not be taxed for the support of the poor outside of the city limits. And said city council shall have full power and authority to declare, by ordinance, all persons of idle and dissolute habits, and who have no visible means of support, found within said city, vagrants, and to provide for punishing them as such by compelling them to labor upon the streets and sidewalks of said city, or by imprisonment in the county jail or city prison."

Fines and pen-
alties.

§ 4. That all fines and forfeitures levied and collected, either before the mayor, justices of the peace or in the circuit court, for offenses committed or charged to have been committed within the city limits of the city of Shelbyville, shall be paid into the city treasury; and this section of this act shall apply to cases that are now pending or offenses that have been committed, where the fines and costs have not been paid, as well as those that may hereafter arise under the charter and ordinances of said city or the general laws of the state.

Issue of bonds
for public im-
provements.

§ 5. That the city council of said city shall have power, for the purpose of enabling said city to keep up and maintain said city government, and to improve the streets, alleys, sidewalks, public grounds, and for other purposes, to issue the bonds of said city, not to exceed in any one year the sum of five thousand dollars, and to levy and collect such taxes, annually, as will be sufficient to pay off and discharge such bonds so issued under this act, as aforesaid: *Provided, however*, that no such bonds shall be issued, nor a tax exceeding five mills on the dollar levied, in any one year, for the purposes contemplated under this section, without the question of such indebtedness and tax first having been submitted to the legal voters of said city of Shelbyville, and adopted by a majority thereof.

Question of
license submit-
ted to voters.

§ 6. That at each annual election, held on the first Monday of April, for the election of councilmen, as aforesaid, within and for said city, the following question shall be submitted to the legal voters of said city, to be voted on at said election: "For license," "Against license;" and if, at any such election, a majority of the legal voters voting at such election shall vote in favor of license, then the city

council of said city shall license the sale of vinous, malt and spirituous liquors in said city, for the year ending on the first Monday of May, or as soon thereafter as the new board of councilmen elected on the first Monday of April, previously, shall be qualified.

§ 7. And if there is not a majority of the legal voters, voting at such election, for license, then the city council shall have no power to grant license, for one year, for the sale of vinous, malt or spirituous liquors; and the selling of vinous, malt or spirituous liquors, without a legal license, in any quantity or quantities less than one gallon, at any one sale, within the city limits or within one mile of the centre of said city (except in the town of Moulton), is hereby prohibited, and any person or persons who shall, by him, her or themselves, or their servant or agent, sell or give away any vinous, malt or spirituous liquors, or cause the same to be sold or given away, within said limits, in less quantities than one gallon at a time, as aforesaid, shall, on conviction thereof, for each offense, forfeit and pay to said city not less than fifty nor more than three hundred dollars; and two or more offenses may be included under one prosecution, and the mayor shall have power to commit the person or persons, so convicted of the offense aforesaid, to the jail of the county or to the city prison, until such fine and costs are paid: *Provided*, that any druggist or druggists keeping drugs for sale may sell vinous, malt or spirituous liquors in less quantities than one gallon, at a time, for medicinal or mechanical purposes—such liquors not to be drunk on the premises where sold—upon such druggist or druggists executing to said city a bond in the penal sum of one thousand dollars, conditioned that he or they will not sell the same except for medicinal or mechanical purposes, with security to be approved by the mayor of said city, and by taking and subscribing an oath, to be indorsed on said bond, that he or they will not suffer to be sold, by his servant or agent, any vinous, malt or spirituous liquors, knowing, or having reason to believe, at the time of such sale, that the same is purchased by the party receiving the same of such druggist to be used for other and different purposes than those enumerated as aforesaid in this act: *And, provided, further*, that if such druggist or druggists, after taking the oath aforesaid, shall knowingly and willfully violate the same, he or they shall be deemed guilty of perjury and, on conviction thereof, punished accordingly.

When majority of voters not voting.

§ 8. If any person or persons shall represent to any druggist or druggists that he or she is desirous of purchasing any vinous, malt or spirituous liquors for medicinal or mechanical purposes, and upon such representation shall obtain from such druggist or druggists the same, and such representation shall be falsely made, then

Penalties for false representation.

such person or persons, so making such false representations, shall, on conviction thereof, be fined in any sum not less than twenty nor more than one hundred dollars—said fine to be collected by the mayor in the name of said city.

Divide city into
wards.

§ 9. The present or any future city council of said city shall have power, by ordinance or ordinances, to divide the city into four wards, and shall provide for the election of one councilman for each ward; and said wards, when so laid off as aforesaid, shall be as nearly equal as practicable, so that every part of said city shall be equally represented in said council. Said city council shall, by ordinance, have power to prescribe the time and manner of holding elections in each ward, when said city shall be laid off into wards as aforesaid.

Vagrants, etc.

§ 10. The city council shall have power, by ordinance, to punish vagrants, and street beggars, and to restrain, punish and prohibit the running at large of horses, mules, cattle, sheep, hogs and goats, and to authorize the impounding and sale of the same for the costs of the proceedings and the penalties incurred; and to provide for the punishment of offenders in the county or city jail or by requiring them to work on the streets, alleys and sidewalks of said city, in cases where such offender or offenders shall fail or refuse to pay any fine or forfeiture recovered or adjudged against him or them; and to tax, restrain and prohibit the running at large or the keeping within said city of dogs, and to authorize their destruction when at large in said city contrary to ordinance or ordinances.

Conflicting acts
repealed.

§ 11. All other acts or parts of acts inconsistent with the provisions of this, be and the same are hereby repealed; and this act shall be taken and deemed a public act, and be in force from and after its passage.

When act to
take effect.

APPROVED April 9, 1869.

In force March
29, 1869.

AN ACT to amend an act entitled "An act to amend an act entitled 'an act to incorporate the city of Sparta, in Randolph county.'"

Sec. 4 repealed.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section four of "An act to amend an act entitled 'an act to incorporate the city of Sparta, in Randolph county,'" be and the same is hereby repealed; and hereafter, any person shall be eligible to the office of city recorder, in said city of Sparta, who, at the time of his election, shall be a citizen of the United States, above the age of twenty-five years, and have resided in said city one year next preceding said election.

§ 2. Section seven of said act shall be, and is hereby amended, by adding to said section, after the word “amendment,” the following words: “and shall receive a salary of one thousand dollars per annum, and the said recorder shall quarterly make faithful report to the city treasurer of all costs and fines collected in said recorder’s court, and after deducting from the gross amount of said fines and costs the amount of his salary due and unpaid, and rent of court room, not exceeding fifteen dollars per quarter, shall pay the remainder of all of said fines and costs to the city treasurer, taking his receipt for the same, which receipt shall be filed with the city clerk.” Sec. 7 amended.

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

APPROVED March 29, 1869.

AN ACT to amend the charter of the city of Springfield.

In force March 27, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all the rights, powers and privileges, in relation to schools, school property, real or personal, or school funds, now vested in the city council of the city of Springfield, be and the same are hereby vested in the board of education of the city of Springfield, to be chosen and organized as hereinafter provided. The said board of education shall not purchase, lease or sell lands, or sell or build additional school houses, or lease or rent the same, without the consent and approval of the city council of the city of Springfield. Funds of school vested in board of education.

§ 2. The said board of education of the city of Springfield shall consist of nine members, and it shall be the duty of the city council, on the first Monday of May, A. D. 1869, to elect, by ballot, three members of said board, each one of whom shall be from a different ward, who shall serve one year, three members of said board, each one of whom shall be from a different ward, who shall serve two years, and the three remaining members of said board, each one of whom shall be from a different ward, who shall serve three years; to be taken, as near as practicable, equally from the several school districts of the city; and the members so chosen shall compose said board until their successors are duly elected and qualified. Before entering upon their duties, the members of the board of education shall take an oath to support the constitution of the United States and of the state of Illinois, and to properly and faithfully perform the duties of said office to the best interests and efficiency of the schools. Election of the board.

Annual election
of members.

§ 3. The city council of the city of Springfield shall, on the first Monday of May, A. D. 1870, and on the first Monday of May, annually, thereafter, elect successors to those members whose terms of office are then expiring, and the persons so elected shall hold their offices for three years and until their successors are elected and qualified. The said board of education, or the remaining members thereof, shall have power to fill, until the ensuing annual election, all vacancies in said board occasioned by death, resignation, disqualification, failure to elect, or removal from said district: *Provided*, no member of the city council, or any person holding office under the city, whether elected or appointed, shall be a member of the board of education.

Board to report
to council.

§ 4. It shall be the duty of said board of education to report to the city council of the city of Springfield, at their regular meeting in the month of June, 1869, and annually thereafter, the amount of money needed and required for public school purposes in said city of Springfield, for the fiscal year, commencing the first Monday of September succeeding such report.

Levy and col-
lection of taxes.

§ 5. The city council of said city of Springfield shall thereupon levy and cause the same to be collected, the said amount of money so reported by the board of education, on all the real and personal property of said city according to the assessment and valuation thereof, and the same shall be collected by the collector of said city the same as other city taxes are collected. The collector shall keep a separate account of the same, and shall pay said taxes to the city treasurer, to be used and applied for public school purposes.

Disbursement
of funds.

§ 6. All school funds paid *into* said treasurer, or coming into his hands, shall be paid out only on the order of the board of education, signed by the president and attested by the signature of the secretary of said board of education; and for the payments made, receipts shall be taken and filed by said secretary and treasurer, and said orders and receipts shall show the purposes for which, and on what account said orders were drawn.

Organization.

§ 7. It shall be the duty of the said board of education, immediately after each annual election, to meet and organize by electing one of their number president, and the superintendent of schools shall be, *ex officio*, secretary of said board, and a majority of said board shall constitute a quorum for the transaction of all business.

Conflicting
acts repealed.

§ 8. All prior acts or parts of acts inconsistent with the provisions of this act, are hereby repealed; and this act is hereby declared a public act, and shall take effect and be in force from and after its passage.

When act to
take effect.

APPROVED March 27, 1869.

AN ACT to amend the charter of the city of Springfield.

In force March
29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the city council of the city of Springfield be and the same is hereby vested with power to cause the paving of the streets, and the construction of sidewalks within the corporate limits of said city; and in the exercise of such power said council shall, by ordinance or order, provide when and where any such improvement shall be made, the character and extent thereof, and appoint three disinterested persons living in said city, as commissioners, to ascertain, fix and assess the value of any such proposed improvements to any lots, blocks, or parts of lots or blocks, and tracts of land specially benefited thereby.

Streets and
Sidewalks.

§ 2. Such commissioners shall take such oaths as said council shall prescribe, and shall go to the locality of such proposed improvement, and ascertain and determine what lots, blocks or parts of lots, blocks, and tracts of land will be specially benefited by such proposed improvement, and assess the value of such benefits to all real estate so found to be specially benefited by such improvement, and report the same in an assessment roll to the said council, giving description of the lots, blocks or parts of lots, blocks and tracts of land, and if known the names of the respective owners thereof.

Commissioners
to take oath.

§ 3. Upon such return of said assessment roll all parties affected thereby shall be notified, by publication in some newspaper, of the time when said assessment roll will be considered by said council, and at such time they may appear before said council, and make objections to the confirmation thereof; and should said council allow any such objections, said assessments shall be charged accordingly, but should no such objection be allowed, said council shall confirm the same, whereupon said assessment shall become a lien upon all property against which the same shall be assessed; and should the assessments so made be insufficient to pay the costs of such improvement, the deficiency shall be paid out of the city treasury, and in no case shall such assessments exceed the costs of any such improvement.

Return of as-
sessment lists.

§ 4. Said city council shall provide, by ordinance, alike applicable to all such cases, for the collection of such assessment, and for sale and conveyance of the property against which the same are assessed, should payment thereof be neglected or refused.

Collection of
assessments.

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

APPROVED March 29, 1869.

In force Feb. 19, 1869. AN ACT to amend an act entitled "An act to charter the city of Sterling," and the several acts amendatory thereof, [and to reduce] the same into one act.

Act reduced. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the act entitled "An act to charter the city of Sterling," approved February 16th, 1857, and the several acts amendatory thereof, be and the same are hereby amended and reduced into one act, so as to read as follows :

ARTICLE I.

OF BOUNDARIES AND GENERAL POWERS.

Corporate powers. Name and style. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the inhabitants of that part of the town of Sterling hereinafter described, in the county of Whiteside, in the state of Illinois, be and they are hereby constituted a body politic and corporate, by the name and style of "The City of Sterling;" and, by that name, shall have perpetual succession, and may have and use a common seal, which they may change and alter at pleasure.

Boundaries. § 2. All that district of country embraced in the platted town of Sterling, in said county, including the several additions thereto, as now platted and recorded in the office of the recorder of said county, and also all of that part of the south-west quarter of section twenty-two, in said town, which lies north of Rock river, and also all that part of the said town of Sterling lying between the said platted town and the central line of Rock river, and bounded on the east by the section line running between sections twenty-two and twenty-three, in said town, and on the west by the line of G street, in Wallace's addition to the said city of Sterling, extended southerly to the middle of Rock river, are hereby declared to be within the corporate boundaries and jurisdiction of the said city of Sterling.

Additions to the city. § 3. Whenever any tract of land adjoining the said city of Sterling shall be laid off into town lots, and duly recorded, the same shall be annexed to and form a part of the said city of Sterling.

Division of city into wards. § 4. The city of Sterling shall be divided into three wards, as follows: All that part of said city lying east of the central line of Broadway, extended to the north and south boundaries of said city, shall constitute the first ward. All that part of said city lying west of the said first ward, and east of the center line of Locust street, extended to the north and south boundaries of said city, shall constitute the second ward; and all that part of said city

lying west of the said center line of Locust street shall constitute the third ward.

§ 5. The inhabitants of said city, by the name and style aforesaid, shall have power to sue and be sued, plead and be impleaded, defend and be defended, in all courts of law or equity, and in all actions whatsoever; to purchase, receive and hold property, both real and personal, in said city; to purchase, receive and hold property, both real and personal, beyond the city, for burial grounds, or for other public purposes, for the use of the inhabitants of said city; to sell, lease, convey or dispose of property, real and personal, for the benefit of the city, and to improve and protect such property; and to do all other things in relation thereto as natural persons can. Powers.

ARTICLE II.

OF THE CITY COUNCIL.

SECTION 1. There shall be a city council, to consist of a mayor and board of aldermen. City council.

§ 2. The board of aldermen shall consist of two members from each ward, to be chosen by the qualified voters thereof, for two years, and until others shall be duly elected and qualified: *Provided*, that each ward shall be entitled to one additional alderman to each two hundred legal voters residing therein, who shall be elected and hold office as above provided. Qualifications for aldermen.

§ 3. No person shall be alderman, unless, at the time of his election, he shall have resided six months within the city limits, and shall be, at the time of his election, a resident of the ward for which he is elected, and of the age of twenty-one years, and a citizen of the United States. Removal from office.

§ 4. If any alderman shall, after his election, remove from the ward for which he was elected, his office shall thereby be vacated.

§ 5. The city council shall [be the] judge of the qualifications and elections and returns of their own members, and shall determine all contested elections. Returns of election.

§ 6. Whenever there shall be a tie in the election of mayor, alderman, or other elective officer, the city council shall determine such election by lot. The vote, how decided.

§ 7. A majority of the board of aldermen shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members. Quorum.

§ 8. The city council shall have power to determine the rules of its proceedings, punish its members for disorderly conduct, and, with the concurrence of two-thirds of the members elected, expel a member. Rules of proceedings.

§ 9. The city council shall keep a journal of its proceedings, and, from time to time, publish the same in Journal of proceedings.

some newspaper published in said city, to be designated by resolution of the city council as the corporation newspaper. And the yeas and nays, when demanded by any member present, shall be entered on the journal of proceedings.

No alderman
appointed to of-
fice

§ 10. No alderman shall be appointed to any office under the authority of the city, which shall have been created, or the emoluments of which shall have been increased, during the time for which he shall have been elected.

Vacancies, how
filled.

§ 11. All vacancies that shall occur in the board of aldermen shall be filled by election.

Oath of office.

§ 12. The mayor and each alderman, before entering upon the duties of their respective offices, shall take an oath or make affirmation, and subscribe to the same, that they will support the constitution of the United States and of this state, and that they will well and truly perform the duties of their offices, to the best of their skill and ability.

Meetings.

§ 13. There shall be twelve stated meetings of the city council in each year, at such times and places as may be prescribed by resolution of the board.

ARTICLE III.

OF THE MAYORALTY.

Term of office
of mayor.

SECTION 1. The chief executive officer of the city shall be a mayor, who shall be elected by the qualified voters of the city, and shall hold his office for one year, and until his successor shall be elected and qualified.

Eligibility to
office.

§ 2. No person shall be eligible to the office of mayor, who shall not have been a resident of the city for one year next preceding his election, or who shall be under twenty-one years of age, or who shall not, at the time of his election, be a citizen of the United States.

Office vacated.

§ 3. If any mayor shall, during the time for which he shall have been elected, remove from the city, or be absent from the city for the space of three months, his office shall be vacated.

Vacancies filled
by election.

§ 4. Whenever any vacancy shall happen in the office of mayor, it shall be filled by election.

Presiding officer

§ 5. The mayor shall preside at all meetings of the city council, and shall have a casting vote, and no other. In case of non-attendance of the mayor at any meeting of the board of aldermen, they shall appoint one of their own members chairman, who shall preside at such meeting.

Special meet-
ings.

§ 6. The mayor, or any two aldermen, may call special meetings of the city council.

Execute all acts.

§ 7. The mayor shall at all times be vigilant in enforcing the laws and ordinances for the government of the city; and he is hereby authorized to call on every male inhabitant of said city, over the age of eighteen years, to aid in enforcing the laws and ordinances, and, in case of riot, to call out the militia to aid in suppressing the same,

or carrying into effect any law or ordinance; and any person who shall not obey such call shall forfeit to the said city a fine not exceeding fifty dollars.

§ 8. He shall have power, whenever he may deem it necessary, to require of any officer of the said city an exhibit of his books and papers. Requirements of officeholders.

§ 9. He shall have power to execute all acts that may be required of him by any ordinance made in pursuance of this act. Duty of mayor.

§ 10. He shall be commissioned by the governor as mayor of the city, and, as such, shall be a conservator of the peace in said city, and shall have power and authority to administer oaths, to perform the marriage ceremony, to take depositions, the acknowledgment of deeds, mortgages on realty, and all other instruments of writing, and certify the same under the seal of the city, which shall be good and valid in law; and he shall receive the same fees for such services as are allowed the county clerk for similar services. Commissioned by the governor.

§ 11. He shall also have such jurisdiction as may be vested in him by ordinance of the city, in and over all places within three miles of the boundaries of the city, for the purpose of enforcing the health ordinance, and the regulation thereof. Jurisdiction of.

§ 12. He may also, upon any emergency or riot, pestilence, or during any day of public election or celebration, appoint as many special policemen from among the citizens of Sterling as he may deem advisable, and for a specified time; and during such term of service they shall possess all the powers and privileges and perform all the duties of policemen. Appointment of policemen.

ARTICLE IV.

OF ELECTIONS.

SECTION . On the first Monday of March, 1869, an election shall be held in each ward in said city for a mayor of said city, one city treasurer, one police justice of said city, and one alderman for each ward, to fill the place of the alderman whose term of office expires next after that date, and also to fill any vacancy in the number of aldermen to which such ward may be entitled. And forever thereafter, on the first Monday of March in each year, there shall be an election held in each ward of said city, for a mayor of said city, one city treasurer of said city, and for so many aldermen in each ward as shall be necessary to fill the places of those whose terms of office then expire, and to fill any vacancy that may then exist. And on the first Monday of March of every fourth year there shall be an election for one police justice for said city. And the several per- Election of officers.

sons so elected shall hold their several offices until their successors are elected and qualified, as herein provided.

Judges of election.

§ 2. The city council shall designate the places at which all city elections shall be held, and shall appoint the judges or inspectors and clerks of such elections, and provide for giving notice for the same, and shall designate the time of holding all special elections.

Qualifications of voters.

§ 3. All male inhabitants over the age of twenty-one years, who are entitled to vote for state officers, and who shall have been actual residents of said city sixty days next preceding any city or ward election, shall be entitled to vote for city officers: *Provided*, that said voters shall give their votes, in all city or ward elections, in the wards in which they respectively reside, and in no other; and that no vote shall be received at any of said elections unless the person offering such vote shall have been an actual resident of the ward where the same is offered at least ten days next preceding such election.

Manner of voting and conducting elections.

§ 4. The time, manner of opening, conducting and closing said elections, and the several privileges and liabilities appertaining to the judges and clerks, and to the voters, separately and collectively, shall be the same as prescribed by the general election laws of this state, so far as applicable, subject to the provisions of this act.

Return of poll books.

§ 5. As soon as practicable after the said election shall have been closed, the said clerks of the election shall return their respective poll-books, under seal, to the office of the clerk of said city, whereupon the said city council shall proceed to canvass said votes, and certify the election of the several persons receiving the highest number of votes for the respective offices hereinbefore named and provided for. The clerk of said city shall, immediately thereafter, certify to the county clerk of the said county of Whiteside the election of mayor and police justice. The county clerk of said county shall thereupon certify the election of the said mayor and of the said police justice to the governor of the state, in the same manner as now directed to be done for justices of the peace elected for the county.

May declare office vacant.

§ 6. If any person elected at any election shall not qualify, by taking the oath of office and giving bond, as required, within twenty days after said election, the office to which he was elected shall be declared vacant and a new election ordered: *Provided*, that those officers who are to be commissioned by the governor shall have ten days within which to qualify after the notice of the issuing of such commission.

Vacancy, how filled.

§ 7. In case of vacancies occurring in any of the elective offices of said city, thereby rendering it necessary to call a special meeting or election to fill the same, it shall be lawful, at such meeting or election, to use the registry books made for the last regular election in and for said city, and

it shall not be necessary to make a new registry for any such special meeting or election.

ARTICLE V.

APPOINTMENTS.

SECTION 1. The city council of the city of Sterling shall have the power, by resolution, to appoint a city marshal, a city collector, a city clerk, a city attorney, a city assessor, a city street commissioner, policemen and such other city officers as they may deem expedient, and regulate their salaries and fix the same as they may think best, and in accordance with the services performed by said officers; and the city council may remove any of said officers at their pleasure.

Appointment
of officers.

§ 2. To require of all officers appointed in pursuance of this charter to give bonds, with penalty and security, for the faithful performance of their respective duties, in such sums as may be deemed expedient; and, also, to require all officers of said city to take an oath or make affirmation for the faithful performance of the duties of their respective offices, before entering upon the discharge of the same.

Officers to
give bonds and
security.

ARTICLE VI.

POWERS AND DUTIES OF CERTAIN OFFICERS.

SECTION 1. The city marshal shall perform such duties as shall be prescribed by the city council for the preservation of the public peace. He shall have authority and power to execute, anywhere within the county of Whiteside, all processes issued by said police justice of said city, or other magistrates within said city. He shall possess the powers and authority of a constable at common law under the statutes of this state, and receive like fees, and shall give bond, as constables are required by law to give—which bond shall be filed in the office of the county clerk.

City marshal.

§ 2. It shall be the duty of the city collector to collect all taxes and assessments which may be levied by said city, and perform such other duties as may be herein prescribed or ordained by the city council. The said collector shall, on receipt of the same, pay over all moneys collected by him of any person or persons to the city treasurer, taking his receipt therefor.

Duties of city
collector.

§ 3. The said city collector shall make report, in writing, under oath, to the city council or to the finance committee, whenever required and notified so to do, of the amount of all moneys collected by him, and the particular warrant, assessment or account upon which collected, and the balance of moneys uncollected on the warrants in his hands.

Collector to re-
port in writing.

Collector to give bond. § 4. The collector shall give bonds, with sureties, in an amount to be fixed by the city council—which bonds shall be approved by them and filed in the clerk's office and entered on record.

Duties of clerk. § 5. The city clerk shall keep the corporate seal, make a record of the proceedings of the city council, at whose meetings it shall be his duty to attend. He shall also record all ordinances, resolutions and orders passed by the said city council, and in force, in a record book provided for such purpose, with complete indexes.

City attorney. § 6. The city attorney shall conduct all the law business of the corporation or in which the city shall be interested, when so ordered by the council. He shall furnish written opinions upon subjects submitted to him by the council, when required to do so, and perform such other duties pertaining to his office as may be prescribed by ordinance or resolution.

Assessor. § 7. The city assessor shall perform all the duties in relation to the assessing of property for the purpose of levying the taxes imposed by the city council. In the performance of his duties he shall have the same powers as are or may be given by law to county or town assessors, and be subject to the same liabilities.

Duties of the treasurer. § 8. The city treasurer shall receive all moneys belonging to the city, and shall keep an accurate account of all receipts and expenditures, in such manner as the city council shall direct. All moneys shall be drawn from the treasury, in pursuance of an order of the city council, by treasury warrant, signed by the mayor, or by the presiding officer of the city council, and countersigned by the clerk. Such warrant shall specify for what purpose the amount therein named is to be paid. The treasurer shall exhibit to the city council, at least twenty days before the annual election of each year, and oftener if required, a full and detailed account of all receipts and expenditures since the date of the last annual report, and also the state of the treasury; which accounts shall be filed in the office of the clerk.

Street commissioner, duty of. § 9. The street commissioner shall superintend all local improvements in the city, and carry into effect all orders of the city council in relation thereto. It shall be his duty to superintend and supervise the opening of all streets and alleys and the grading and improving thereof; the construction and repairing of bridges, culverts and sewers; to make plans and estimates of any work ordered in relation to streets or alleys, culverts or sewers; to keep full and accurate accounts, in appropriate books, of all appropriations made for work pertaining to his office, and all disbursements thereof, specifying to whom made and on what account—and he shall render monthly accounts thereof to the city council.

§ 10. The policemen of said city of Sterling shall possess, within said city, all the common law and statutory powers of constables, except for the service of civil process where the city is not a party. They shall also have power to perform all such duties appertaining to the office of policeman as shall be imposed upon them by the city council.

Powers of city policemen.

§ 11. The police justice elected in pursuance of the provisions of this act shall be commissioned by the governor as a justice of the peace for said city, and as such shall have power and authority to administer oaths, issue writs and processes, take depositions, acknowledgments of deeds, mortgages and other instruments of writing. He shall have jurisdiction in all cases arising under ordinances, by-laws and police regulations of the city, and concurrent jurisdiction with all other justices of the peace in all civil and criminal cases within the county of Whiteside, arising under the laws of the state, and shall receive the same fees and compensation for his services as other justices of the peace of the county.

Police justice commissioned by governor.

§ 12. The city council shall have power, from time to time, to require further and other duties of all officers whose duties are herein prescribed, and prescribe the powers and duties of all officers elected or appointed to any office under this act, whose duties are not herein specified.

Provide for duty of officers.

ARTICLE VII.

OF THE LEGISLATIVE POWERS OF THE CITY COUNCIL.

SECTION 1. The city council shall have power and authority to levy and collect taxes for city purposes upon all property, real and personal, within the limits of the city, not exceeding one-half of one per cent. per annum upon the assessed value thereof, and may enforce the payment of the same in any manner, to be prescribed by ordinance, not repugnant to the constitution of the United States or of this state. Said city council may, however, levy and collect a tax, for city purposes, greater than one-half of one per cent.: *Provided*, that the same be done with the consent of a majority of the legal voters of said city voting at a general election, or a special election ordered for such purpose.

Levy and collect taxes.

Rate of taxation

§ 2. The city council shall have power to borrow money on the credit of the city, and issue the bonds of the city therefor. But no sum of money shall be borrowed at a higher rate of interest than that allowed by law; and the aggregate of all the sums borrowed, both principal and interest, shall at no time exceed the sum of three thousand dollars, unless otherwise ordered by a majority of the legal voters of the city voting at a general election, or at a special election called for that purpose.

May borrow money.

- Appropriations.** § 3. To appropriate money for improvements, or to provide for the payment of the debts and expenses of the city.
- Contagious diseases.** § 4. To make regulations to prevent the introduction of contagious diseases into the city, to make quarantine laws for that purpose, and enforce the same within three miles of the city.
- Hospitals.** § 5. To establish hospitals and make regulations for the government of the same.
- General health.** § 6. To make regulations to secure the general health of the inhabitants; to declare what shall be a nuisance, and to prevent and remove the same.
- Wells, hydrants and cisterns.** § 7. To provide the city with water; to erect hydrants and pumps; to build cisterns and dig wells in the streets for the supply of fire engines and buckets.
- Improvement of streets.** § 8. To open, alter, widen, extend, establish, grade, fill, pave, macadamize, plank, or otherwise improve and keep in repair, streets, avenues, lanes and alleys, sidewalks, drains and sewers.
- Bridges.** § 9. To establish, erect and keep in repair bridges.
- Lighting streets** § 10. To provide for lighting the streets and erecting lamp posts.
- Night watches.** § 11. To establish, support and regulate night watches.
- Markets and market houses.** § 12. To erect market houses; to establish markets and market places, and to provide for the government thereof.
- Needful buildings.** § 13. To provide for all needful buildings for the use of the city.
- Improving public grounds.** § 14. To provide for inclosing, improving, ornamenting and regulating all public grounds belonging to the city.
- Merchants and retailers.** § 15. To license, tax and regulate auctioneers, merchants, peddlers, retailers, grocers, taverns, ordinaries, hawkers, brokers, pawnbrokers and money changers.
- Hackmen and draymen.** § 16. To license, tax and regulate hacks, carriages, wagons, carts and drays, and fix the rates to be charged for the carriage of persons, and for the wagonage, cartage and drayage of property.
- Porterage.** § 17. To license and regulate porters and the rates of porterage.
- Exhibitions.** § 18. To license, tax and regulate all theatrical and other exhibitions, shows and amusements.
- Bawdy houses.** § 19. To restrain, prohibit and suppress tippling houses, dram shops, gambling houses, bawdy houses and other disorderly houses.
- Extinguishment of fires.** § 20. To provide for the prevention and extinguishment of fires, and to organize and establish fire companies.
- Chimneys, etc.** § 21. To regulate the fixing of chimneys, and to fix the fines thereof.
- Unsafe buildings.** § 22. To regulate or prohibit the erection of wooden buildings in any part of the city.

§ 23. To regulate the storage of gunpowder, tar, pitch, rosin, oils and other combustible materials. Combustibles.

§ 24. To regulate and order parapet walls and partition fences. ¶ Parapet walls and fences.

§ 25. To establish standard weights and measures to be used in the city in all cases not otherwise provided for by law, and to order all laws upon the subject to be enforced, and to fix and enforce payment of fines for non-compliance with any such order. Standard weights and measures.

§ 26. To provide for the inspection and measuring of lumber and other building materials, and for the measuring of all kinds of mechanical works. Inspection of lumber.

§ 27. To provide for the inspection and weighing of stone-coal, the measurement of charcoal, fire wood and other fuel to be used in said city. Inspection of hay and stone coal.

§ 28. To provide for and regulate the inspection of tobacco, beef, pork, flour, meal, and whiskey in barrels. Beef, pork and flour.

§ 29. To provide for and regulate the inspection of butter, lard, and other provisions. Butter, lard, etc.

§ 30. To regulate the weight and quality of bread to be sold in the city. Price of bread.

§ 31. To regulate the size of bricks to be sold and used in the city. Size of bricks.

§ 32. To provide for enumerating the inhabitants of the city. Enumeration of inhabitants.

§ 33. To regulate the police of the city; to impose fines, forfeitures and penalties for the breach of any ordinance, and provide for the recovery and appropriation of such fines and forfeitures, and the enforcement of such penalties. Regulate police.

§ 34. The city council shall have exclusive power within the city, by ordinance, to license, regulate, restrain and prohibit the keeping of billiards, billiard tables and bowling alleys, and all other instruments and devices for other games of skill or chance. Billiard tables and ten pin alleys.

§ 35. The city council, by ordinance, shall have exclusive power to license, prohibit or regulate, in any manner they see fit, the selling, bartering or trafficking of any wine, rum, gin, brandy, whiskey, malt liquor, strong beer, ale, porter, mixed liquors, or any intoxicating liquors whatsoever, within said city and within one mile of the city limits, north of said Rock river. Liquors.

§ 36. To regulate the running at large of dogs, and authorize the destruction of the same if at large, contrary to ordinance. Running at large of dogs.

§ 37. To prevent horse-racing or immoderate driving or riding of horses or other animals, and to prohibit the abuse of animals, and to compel persons to fasten their horses or other animals, attached to vehicles or otherwise, whenever standing in the streets of said city. Fast driving.

- Running at large of horses and cattle. § 38. To regulate, restrain or prohibit the running at large of horses, cattle, asses, mules, swine, sheep, goats and fowls, and to authorize the distraining, impounding and sale of the same for the penalty incurred, and to impose penalties on the owners thereof for a violation of any ordinance in relation thereto.
- Destitute children. § 39. To authorize and direct the taking up of all children, destitute of proper parental care, and to provide for the safe-keeping and education of the same for such time as may be deemed expedient.
- Breweries, etc. § 40. To direct the location and regulate the management and construction of distilleries, breweries, tanneries, blacksmith shops, founderies, livery stables and packing-houses not already built; to direct the location and regulate the management and construction of, and to restrain, abate and prohibit slaughtering establishments, establishments for rendering or straining lard, tallow, offal, and such other substances as may be rendered, and all other establishments or places where any nauseous, offensive or unwholesome business, may be carried on within the city, and to the distance of one mile from the limits of the city on the north side of Rock river.
- Railroad tracks and crossings. § 41. To require railroad companies to keep in repair the streets through which their track may run, and to construct and keep in repair suitable crossings at the intersections of streets and alleys and sewers and ditches and culverts, when the city council shall deem necessary; to prohibit said railroad companies from leaving cars standing across streets; to direct and prohibit the use, and regulate the speed of locomotive engines within the inhabited portions of the city.
- Incumbering streets. § 42. To prevent the incumbering of streets, sidewalks, lanes, alleys and public grounds, with carriages, carts, sleighs, sleds, wheelbarrows, boxes, lumber, timber, firewood, posts, awnings, signs, or any substance or material whatsoever.
- Ice and dirt from sidewalks. § 43. To compel all persons to keep the snow, ice and dirt from the sidewalks in front of the premises owned or occupied by them.
- City jail. § 44. To provide and maintain a city jail or lock-up for the use of said city, and to provide, by ordinance, for the punishment of offenders by imprisonment therein.
- Riots, affrays, noises, etc. § 45. To prevent any riot, noise, disturbance, disorderly assemblages, disorderly conduct, breach of the peace or malicious mischief within the city, and to restrain and punish vagrants, mendicants, street beggars and prostitutes.
- General powers of council. § 46. The city council shall have power to pass, publish, amend and repeal all ordinances, rules and police regulations, not contrary to the constitution of this state or of the United States, for the good government, peace and order of the city, and the trade and commerce thereof, or

that may be necessary or proper to carry into effect the powers vested by this act in the corporation, the city government, or any department or office thereof; to enforce the observance of all such rules, ordinances and police regulations, and to punish violations thereof by fines, penalties and imprisonment in the city lock-up, in the discretion of the court or magistrate before whom conviction may be had. But no fine or penalty shall exceed one hundred dollars, or the imprisonment four months, for any offense.

§ 47. The city council shall have power to provide, by ordinance, that all taxes levied, assessed and collected under and by virtue of the provisions of this act, shall be assessed and collected by the same assessor and collector whose duty it shall be, by general law to assess and collect the state and county tax for township twenty-one north of range seven east, north of Rock river, in said Whiteside county. If said city council shall wish to have said city taxes so assessed and collected, it shall be their duty to inform the clerk of the county court, on or before the first day of September of each year, of the rate per cent. of the taxation levied by them for city purposes for said year. And it shall, thereupon, be the duty of said county clerk to carry out and extend said tax upon the books of the collector in the same manner that he is now required by law to carry out and extend the district school tax against the name of each tax-payer, whether resident or non-resident, owning property in said city; and said city tax shall be collected in every respect, and the collection thereof enforced in like manner and with like remedies as the state and county tax, and shall be paid over by the collector to the treasurer of said city at the same time that the county revenues is required to be paid over to the county. Any court which shall render judgment in said Whiteside county against lands and lots in said city, for non-payment of taxes due the state and county, shall, at the same time, include in the same judgment any and all taxes which may be due said city on any such property. For his services in carrying out, adding and extending said tax in the books of the collector, said county clerk shall receive one-half cent for each lot or tract of land, and one-half cent on each person's name assessed for personal property, to be paid out of said city tax when collected. The collector shall receive the same compensation which may be allowed by law for the collection of state and county taxes, and shall be liable on his official bond for the payment of all such city tax by him collected; the fees of the collector being paid out of the taxes when collected.

Power to levy
and collect a tax

Fees of collector

ARTICLE VIII.

PUBLIC IMPROVEMENTS.

Private property for public use

SECTION 1. When it shall be necessary to take private property for opening, widening, or altering any public street, lane, avenue or alley, or for making any other improvement in said city which the city council of said city are by this act authorized to make, the city shall make a just compensation therefor to the person whose property is taken; and if the amount of said compensation cannot be agreed upon by the parties, the city council shall appoint three disinterested freeholders of the city to ascertain and report the same to the city council.

Duties of commissioners.

§ 2. The commissioners so appointed, before proceeding to assess such compensation, shall be sworn to assess the same fairly and impartially, and in ascertaining the amount of such compensation, they shall take into consideration the benefits, as well as the injuries, which such owner will receive by the making of such improvement. The amount of compensation agreed upon and reported by the said commissioners, or any two of them, shall be deemed and taken as the just compensation to be made to such owners: *Provided*, that the city council may revoke the amount agreed upon and reported by said commissioners within ten days from the time such report is made, and appoint three other commissioners, who shall proceed to assess and report such compensation, as above provided, and whose report shall be deemed and taken as the just compensation to be made to such owner. Whenever the city council shall determine to make any of the improvements mentioned in section 8 of article 7, hereof, they shall have power to assess each lot, or parcel of land, to be benefited by such improvement, the amount of the special benefit each will derive from such improvement, charging the same upon such lot or parcel of land; and such amount may be collected at the same time and in the same manner as other city taxes, or the said city council may, by ordinance, provide for the collection, and may enforce the payment of the same in any manner not repugnant to the constitution and laws of the United States, or to the constitution of this state.

Damages.

§ 3. If any party interested in the assessment of damages or benefits provided for in this article shall be dissatisfied with the same, such party may appeal the same to the circuit court of Whiteside county, by executing and filing with the clerk of court, within ten days after being notified of such assessment, an appeal bond with responsible securities, to be approved by said clerk and payable to the people of the state, for the use of all parties interested in the condition; in which bond the action or the proceeding

appealed from shall be recited, with conditions for the due and speedy prosecution of the appeal, and that the party appealing will pay whatever may be required by the final judgment on the appeal. And in case the assessment shall be either lessened or increased in favor of the party appealing, such party shall have judgment for costs; otherwise, the costs shall be adjudged against such party. Notice of any assessment hereinbefore mentioned in this article shall be served in writing on the owner of the premises to which such assessment relates: *Provided*, that in case the owner is an infant, the notice shall be served on the guardian, or if there is no guardian, on the infant and the person or persons having it in charge; and that in case the owner is of unsound mind, the notice shall be served on the conservator of such person, or if there is no conservator, on the person or persons having such owner in charge; and that in case the owner is a non-resident of the city, unknown, or cannot be found, such notice may be served by publishing the same in the corporation newspaper.

§ 4. The city council shall have power, for the purpose of keeping the streets, lanes, avenues, and alleys in repair, to require every male inhabitant in said city, over twenty-one years of age and not exceeding fifty, to labor on said streets, lanes, avenues and alleys, not exceeding three days of eight hours each, in each year. And any person failing to perform such labor when duly notified by the street commissioner, shall forfeit and pay a sum not to exceed one dollar for each day so neglected and refused, as said city council may provide; and all such labor and commutation in money for said labor, shall be expended and laid out for such repairs within the respective wards, wherein the same shall be assessed and collected.

Manner of requiring and performing road labor

§ 5. The inhabitants of said city of Sterling are hereby exempted from working on any road beyond the limits of the city, and from paying any tax to procure laborers to work upon the same: *Provided*, that the city council may, at their discretion, cause one-fourth of the labor tax to be laid out on roads leading into said city, and may expend a portion of the city tax upon the same, not to exceed one-eighth of the amount annually assessed.

Exempt from road labor outside city.

MISCELLANEOUS PROVISIONS.

SECTION 1. The style of the city ordinances shall be: *“Be it ordained by the city council of the city of Sterling.”*

Style of ordinances.

§ 2. All ordinances passed by the city council shall, within twenty days after they shall have been passed, be published in the corporation paper, and shall not be in force until they shall have been published as aforesaid.

Publication of.

§ 3. All ordinances of the city may be proved by the seal of the corporation; and when printed or published in

Proof.

book or pamphlet form, and purporting to be printed and published by authority of the corporation, the same shall be received in evidence in all courts and places, without further proof.

Books, etc.,
evidence,

§ 4. Copies of all books and papers herein required to be kept or filed by the city clerk, or transcripts of the same, duly certified by the clerk, under the seal of the city, shall be received in evidence in all courts and places, the same as if the originals were produced, and without further proof.

Jurisdiction of
justices of peace

§ 5. The city council of said city shall have power to designate, by resolution, one or more of the justices of the peace of the said town of Sterling, who shall have concurrent jurisdiction with the police justice of said city in any action or proceeding for the recovery of any fine or penalty, or for imposing any punishment under this act or under any ordinance, by-law or police regulation made in pursuance thereof.

Summons to be
first process.

§ 6. In all proceedings for the violation of any ordinance, by-law or other regulation of said city, the first process shall be by summons, unless oath or affirmation be made for a warrant, as herein provided.

Fines, forfeit-
ures, etc.

§ 7. In any action to be brought for the recovery of any penalty incurred under this act, or any ordinance, by-law or police regulation made in pursuance thereof, when the act complained of is a crime or misdemeanor, by the laws in force in this state, if oath or affirmation be made and filed with the justice having jurisdiction of such offense, the justice shall issue a warrant for the arrest of such offender, and in such case the magistrate before whom such person is brought, shall have power forthwith to try the person so offending, without process, and render judgment as in other cases.

Bail allowed.

§ 8. Every person arrested and charged with the violation of any ordinance, shall be entitled to give bail for his appearance to answer such charge at any future time to which his case may be continued.

Suits vested
in corporation.

§ 9. All actions brought to recover any penalty or forfeiture, under this act, or any ordinance, by-law or police regulation made in pursuance thereof, shall be brought in the corporate name of said city, and it shall be lawful to declare generally in debt for such penalty, fine or forfeiture, stating the clause of this act, by-law, ordinance or police regulation under which the penalty or forfeiture is claimed, and to give the special matter in evidence under it.

Proceedings
before police
magistrate.

§ 10. In any action to be brought for the recovery of any penalty incurred under this act, or any ordinance, by-law or police regulation made in pursuance of such act, if oath or affirmation shall be made and filed with the justice having jurisdiction of such offense, that said defendant is a non-resident of the county of Whiteside, or that whatever judgment may be obtained against such offender will be in

danger of being lost, stating the cause of such danger, so as to satisfy the justice that there is reason to apprehend such loss, the justice shall issue a warrant for the arrest of such offender, which warrant may be in the same form, and the proceeding thereon conducted in the same manner, and with the same effect, as to principal and security, as nearly as the case will admit of, as the warrant and proceedings provide for in sections twenty-two and twenty-three of chapter fifty-nine of the Revised Statutes, entitled "Justices of the Peace and Constables."

§ 11. In any action commenced by said city for the recovery of any penalty as aforesaid, execution may issue immediately on rendition of judgment against the defendant, which execution may require the said defendant to be imprisoned in close custody in the city jail or lock-up, one day for each fifty cents of such judgment and costs, in case property cannot be found and the said defendant do not pay or turn out property to secure such judgment, and in such case the officer having such execution shall forthwith arrest and imprison such offender, according to the mandate of such writ or execution.

Execution to
issue on rendition
of judgment

§ 12. All constables elected in the said town of Sterling, are hereby authorized and empowered to execute all processes by the police justice, or other magistrate of said city, anywhere within the said county of Whiteside.

§ 13. No person shall be an incompetent judge, justice, witness or juror, in any action or proceeding in which the said city may be a party, by reason of his being an inhabitant or property holder in said city of Sterling.

Competent witnesses.

§ 14. All fines, forfeitures and penalties collected for offenses committed within the city, shall be paid into the treasury of the city, by the officers collecting the same.

Fines paid to
city treasurer.

§ 15. The city marshal, policemen, and such other officers of said city as may be authorized by any ordinance, shall have power to arrest, with or without process, all persons who shall break the peace or threaten to break the peace, or be found violating any ordinance of the city relating to the peace and quiet of said city, commit for examination, and if necessary, to detain such person in custody over night, or the Sabbath, or until he or she can be brought before a magistrate; and in such case the magistrate before whom such person is brought, shall have power forthwith to try the person so offending, without process, and render judgment as in other cases.

Appeals may
be taken.

§ 16. Appeals shall be allowed in all cases arising under the provisions of this act, or any ordinance passed in pursuance thereof, to the circuit court of Whiteside county, and every such appeal shall be taken and granted in the same manner and with like effect as appeals are taken from and granted by justices of the peace to the circuit court under the laws of this state.

§ 17. The affidavit of the printer or publisher of any newspaper in which any ordinance, as required by this act, shall be published, taken before any officer authorized to administer an oath, and filed with the city clerk, shall be conclusive evidence of the legal publication of the said ordinance, in all courts and places.

§ 18. This act shall be in force from and after its passage, and is hereby declared to be a public act, and may be read in evidence in all courts of law or equity, without proof.

APPROVED February 19, 1869.

In force April 19, 1869. AN ACT supplementary to an act entitled "An act to incorporate the city of Tuscola, in Douglas county, and for other purposes," passed by the 26th general assembly.

Election, time and place of. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all sections and parts of sections of "An act entitled an act to incorporate the city of Tuscola, in Douglas county, and for other purposes," passed by the twenty-sixth general assembly, and to which this is a supplement, which provides for the election of justices of the peace or police magistrates in the said city of Tuscola, for any term of office less than four years, be and the same are hereby so amended as to make the term of office of said justices of the peace and police magistrates four years, instead of the time limited in said act to which this is a supplement.

Boundaries. § 2. The township line between township numbered fifteen (15) and sixteen (16) north, of range number eight (8) east, of the third principal meridian, shall be the southern boundary of the said city of Tuscola, instead of the southern boundary line fixed in the act to which this is a supplement.

§ 3. This act and the act to which this is a supplement, shall be deemed public acts; and this act shall take effect and be in force from and after its passage.

APPROVED April 19, 1869.

AN ACT to reduce an act to charter the city of Urbana and the several In force April
acts amendatory thereof into one act, and to amend the same. 1, 1869.

ARTICLE I.

OF BOUNDARIES, GENERAL POWERS AND WARDS.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the district of land in Champaign county and state of Illinois, embraced within the following described limits, to-wit: Commencing at the north-east corner of the west half of the south-west quarter of section nine (9), town nineteen (19) north, range nine (9) east of third principal meridian, and running thence west three-fourths ($\frac{3}{4}$) of a mile, thence north one-fourth ($\frac{1}{4}$) of a mile, thence west one (1) mile, thence south one (1) and one-half ($\frac{1}{2}$) miles, thence east one-half ($\frac{1}{2}$) mile, thence north one-fourth ($\frac{1}{4}$) of a mile, thence east one (1) and one-fourth ($\frac{1}{4}$) miles, thence north one (1) mile to the place of beginning, with such other additions of land as may be incorporated with and come under the jurisdiction of said city as hereinafter provided, is hereby created into a city, by the name of "The City of Urbana." Boundaries.

§ 2. The inhabitants of said city shall be a corporation by the name of "The City of Urbana," and by that name shall have perpetual succession, to sue and be sued, and complain and defend in any court; may make and use a common seal, and alter and change it at pleasure; may take, hold and purchase such real, personal and mixed estate as the purposes of the corporation may require, within or without the limits of the city, and may sell, lease or dispose of the same for the benefit of the city. Corporate name and powers.

§ 3. The boundaries of the wards as they now exist, may be, by the city council, changed, from time to time, and the city council may create additional wards, as occasion may require, and fix the boundaries of the same. Boundaries of wards.

§ 4. Whenever any tract of land adjoining the city of Urbana shall be laid off into town lots and recorded according to law, the same shall be annexed to and form a part of the city of Urbana; which said plat, so recorded as aforesaid, shall be declared to be an addition to the said city, by an ordinance of the city council, passed for that purpose. Additions to the city.

ARTICLE II.

§ 5. The municipal government of the city shall consist of a city council, to be composed of the mayor, and two aldermen from each ward. The aldermen shall be elected for a term of two years, but when two aldermen are elected from the same ward, at the same time, but one of them shall serve for two years, the other for one year, to be de- Mayor and board of aldermen.

terminated by lot. The appointed officers of the corporation shall be as follows: A city clerk, a city marshal, a city treasurer, a city attorney, a city street commissioner, and a city civil engineer, who, in addition to the duties prescribed by this act, shall perform such other duties as may be prescribed by ordinance.

Election of officers. § 6. All officers to be elected or appointed, under this act, except such as are otherwise provided, shall hold their offices one year, and until the election or appointment and qualifications of their successors respectfully, [respectively] and the appointed officers shall be commissioned, which commission shall be signed by the mayor and attested by the clerk of the city council and the seal of the corporation. All other officers mentioned in this act, and not otherwise specially provided for, shall be appointed by the city council, by ballot, on the first regular or special meeting after the election in each year, or as soon thereafter as may be; but the council may specially authorize the appointment of watchmen and policemen by the mayor, to continue in office during the pleasure of the city council. All officers elected to fill vacancies, except where specially provided for, shall hold for the unexpired term only, and when appointed to fill vacancies, until the next general election, or until the election or appointment and qualification of their successors.

Aldermen. § 7. No person shall be an alderman unless, at the time of his election, he shall have resided in the limit of the city six months, and of the ward from which he is elected, ten days, and shall be, at the time of his election, twenty-one years of age and a citizen of the United States.

Special election. § 8. If, from any cause, there shall not be a quorum of aldermen, the mayor, or on the contingency of his inability to act, the city clerk shall appoint the time and place for holding a special election, to supply such vacancies, and to appoint judges thereof, if necessary. If any alderman shall remove from the ward represented by him, his office shall, thereby, become vacant. If there should be a failure of the people to elect any officer herein required to be elected, the city council shall forthwith order a new election.

Removal from ward, etc. **Removal from office.** § 9. Any officer elected or appointed to any office may be removed from such office by a vote of two-thirds of the aldermen; but no officer, elected by the people, shall be removed, except for good cause, nor unless first furnished with the charges against him and heard in his defense.

Vacancy filled by election. § 10. Whenever any vacancy shall occur in the office of mayor or alderman, such vacancy shall be filled by a new election, and the city council shall order such special election within ten days after the happening of such vacancy, unless the city council shall deem it inexpedient. Any vacancy occurring in any other office may be filled by appointment by the city council.

§ 11. All citizens of the United States, qualified to vote at any election held under this act, shall be qualified to hold any office created by this act. Qualifications for office.

ARTICLE III.

§ 12. A general election shall be held in each ward of the city on the first Saturday in June, in each and every year. The time in said day and place of said election, in each ward, shall be determined by the city council of the city of Urbana, and shall give twenty days' notice thereof, posted in two public places in each and every ward, and they shall also appoint three (3) judges of election for each ward. At such election, shall be chosen one mayor, by the city at large, and as many aldermen as there are vacancies in each ward—the aldermen to be voted for only by the residents of the ward which he is elected to represent. Annual election.

§ 13. The manner of conducting and voting at the elections held under this act and contesting the same, the keeping of the poll lists, canvassing the votes and certifying the returns, shall be the same, as nearly as may be, as it is now, or may be hereafter provided by law for state elections: *Provided*, the city council shall have power to appoint the judges thereof. The voting shall be by ballot, and the judges of election shall take the same oath, and shall have the same power and authority as the judges of state elections. After the closing of the polls, the ballots shall be counted, as provided by law, and the returns shall be made, sealed, to the city clerk within two days after the election, and, thereupon, the city council shall meet and canvass the same and declare the result of said election. Mode of conducting elections.

§ 14. When two or more persons shall have an equal number of votes for the same office, the judges of election shall certify the same to the city council, who shall proceed to determine the same by lot, in such manner as may be provided by ordinance. Tie, how decided.

§ 15. The city council shall judge of the qualification, election and returns of their own members, and shall determine all contested elections. Contested election.

§ 16. It shall be the duty of the city clerk to notify all persons elected or appointed to office, of their election or appointment, and unless such person shall qualify within ten days after such notice, the office shall be declared vacant. Notice of election to persons elected.

§ 17. No person shall be entitled to vote at any election under this act, who is not entitled to vote at a state election, and who has not been a resident of said city at least (3) three months next preceding said election, and he shall have been, moreover, an actual resident of the ward in which he votes, for ten days previous to such election; Qualifications of voters.

and the voter shall be deemed a resident of the ward in which he is accustomed to lodge.

ARTICLE IV.

POWERS AND DUTIES OF OFFICERS.

Oath of office.

§ 18. Every person chosen or appointed under this act shall, before he enters upon the duties of his office, take and subscribe the oath of office prescribed in the constitution of the state, and file the same, duly certified by the officer before whom it was taken, with the city clerk.

Mayor.

§ 19. The mayor shall preside over the meetings of the city council, and shall take care that the laws of this state and the ordinances of this city are duly enforced, respected and preserved in this city, and that all other officers of the city discharge their respective duties, and he shall cause negligence and positive violation of duty to be prosecuted and punished. He shall, from time to time, give the city council such information and recommend such measures as he may deem advantageous to the city.

Inhabitants to aid in enforcing laws.

§ 20. He is hereby authorized to call on any and all male inhabitants of the city to aid in enforcing the laws of the state or the ordinances of the city.

Exhibit of books and papers.

§ 21. He shall have the power, whenever he may deem it necessary, to require of any of the officers of the city, an exhibit of all his books and papers, and he shall have power to execute all acts that may be required of him by this act or any ordinance made in pursuance thereof.

Salary of mayor.

§ 22. He shall receive such salary as may be fixed by ordinance.

Publication of ordinances.

§ 23. All ordinances and resolutions shall, before they take effect, be placed in the office of the city clerk and notice thereof given to the mayor, and if the mayor approve thereof, he shall sign the same, and such as he shall not approve he shall return to the city council with his objections thereto. Upon the return of any ordinance or resolution to the city council by the mayor, the vote by which it was passed shall be reconsidered, and if after such reconsideration, three-fourths majority of all the members present shall agree, by the ayes and noes, which shall be entered upon the journal, to pass the same, it shall go into effect; and if the mayor shall neglect to approve or object to any such proceedings for a longer period than three days after the same has been placed in the clerk's office, and notice as aforesaid, the same shall go into effect: *Provided*, that a vote, passing a resolution or ordinance over the veto of the mayor, shall not be taken within one week after the first passage of the resolution or ordinance. He shall, *ex officio*, have power to administer any oath required to be taken by this act and certify the same under the seal of the city.

§ 24. In case of absence of mayor or of his being unable to perform the duties of his office, the city council shall appoint one of its members to preside over its meetings, whose official designation shall be "Acting Mayor," and the alderman so appointed shall be vested with all the powers and perform all the duties of mayor until the mayor shall resume his office.

Absence of the mayor.

§ 25. The members of the city council shall be, *ex officio*, fire wardens and conservators of the peace during their term of office.

Conservators of the peace.

§ 26. The clerk shall hold his office for one year. He shall keep the corporate seal and all papers and books belonging to the city. He shall attend all meetings of the city council, keep a full record of their proceedings on the journal, and safely keep all papers duly filed in his office; and transcripts from the journals of the proceedings of the city council and copies of documents, certified by him under the corporate seal, shall be evidence in all courts, in like manner as if the originals were produced. He shall, likewise, draw all warrants on the treasury and countersign the same, and keep an accurate account thereof in a book provided for the purpose. He shall also keep an accurate account of all receipts and expenditures, in such a manner as the city council shall direct; and he shall have power to administer any oath required to be taken by this act.

Duties of clerk.

§ 27. It shall be the duty of the city attorney to perform all professional duties incident to his office, and when required, to furnish written opinions upon questions and subjects submitted to him by the mayor or the city council, or its committees.

Attorney.

§ 28. The city treasurer shall receive all moneys belonging to the city, and shall keep an accurate account of all receipts and expenditures in such manner as the city council shall direct; and no moneys shall be drawn from the treasury, except in pursuance of an order by the city council, and be drawn by a treasury warrant, signed by the mayor or presiding officer of the city council, and countersigned by the city clerk. The treasurer shall exhibit to the city council, at least thirty days before the annual election of each year, and oftener, if required, a full and detailed account of all receipts and expenditures since the date of the last annual report, and, also, the state of the treasury; which account shall be filed in the office of the city clerk, and published in some newspaper of said city at least (10) ten days before the election.

Treasurer.

§ 29. The city marshal shall hold his office for one year and shall perform such duties as shall be prescribed by the city council, for the preservation of the public peace, the collection of license money, fines, or otherwise. He shall possess the powers and authority of constable at common law and under the statutes of the state, and re-

City marshal's duties.

ceive the same fees ; but shall not serve civil process, without first entering into bond as such constable, to be approved by the city council, payable to said city, as in other cases. He shall execute and return all process issued by any proper officer, under this act, or any ordinance in pursuance thereof.

Street commis-
sioner.

§ 30. The street commissioner shall attend to all local improvements in the city and carry into effect all orders of the city council in relation to the same. It shall be his duty to superintend and supervise the opening of streets and alleys and the grading and improvement thereof, and the construction and repairing of bridges, culverts and sewers ; to order the laying and relaying and repairing of sidewalks ; give notice to the owners of property adjoining such sidewalks, when required, and upon a failure of any person to comply with such notice, to cause the same to be laid, relaid or repaired, subject to the provisions hereinafter made ; to make plans and estimates of any work ordered, in relation to any streets and alleys, culverts or sewers ; to keep full and accurate accounts, in appropriate books, of all appropriations made for work pertaining to his office and of all disbursements thereof, specifying to whom made and on what account, and he shall render monthly accounts thereof to the city council.

Further duties
of officers.

§ 31. The city council shall have power, subject to the expressed provisions of this act, from time to time, to require further and other duties of all officers whose duties are herein prescribed, and prescribe the duties and powers of all officers elected or appointed to any office under this act, whose duties are not herein specified, and fix the compensation of all officers. They may also require all officers, severally, before they enter upon the duties of their respective offices, to execute a bond to the city of Urbana, in such sum and with such securities as they may approve, conditioned that they will faithfully execute the duties of their respective offices, and account for and pay over and deliver all money and other property received by them ; which bond with the approval of the city council certified thereon by the clerk, shall be filed in his office, and remain for the benefit of any person aggrieved by the official acts of the officer.

Appointment
of officers.

§ 32. The city council shall also have power to appoint a city attorney, city marshal, city clerk, city treasurer, city street commissioner, city engineer or surveyor, pound master and the necessary number of policemen, and regulate the duties and fix the pay of each.

ARTICLE V.

OF THE LEGISLATIVE POWERS OF THE CITY COUNCIL—ITS GENERAL POWERS AND DUTIES.

§ 33. The mayor and aldermen shall constitute the city council. They shall meet and organize the first Monday after their election. The mayor, when present, shall preside at all meetings of the city council, and shall only have a casting vote. In his absence, any one of the aldermen may be appointed to preside. A majority of the persons elected aldermen shall constitute a quorum. City council.

§ 34. The city council shall hold twelve (12) stated meetings, one in each month during the year, and the mayor or any two aldermen may call special meetings of the council, notice to be served personally, or left at their usual place of abode. Petitions and remonstrances may be presented to the city council, and they shall determine the rule of their own proceedings, and shall have power to compel the attendance of absent members. Meetings.

§ 35. The city council shall have control of the finances, and of the property, real, personal and mixed, belonging to the corporation, and shall likewise have powers within the jurisdiction of the city, by ordinance— Council shall control finances.

First.—To borrow money on a credit of the city, and issue bonds of the city therefor; but no bonds shall be issued having more than ten (10) years to run, and there shall never be outstanding bonds to a greater amount than ten (10) per cent. of the last assessed value of the real and personal property of the city, unless a majority of the voters of said city authorize them so to do, at an election held for that purpose, at such time and conducted as the city council may direct: *Provided*, that there shall not be issued bonds in any one year, to exceed two (2) per cent. of the last assessed value of real and personal property within said city, unless a majority of the qualified voters authorize them so to do, at an election held for that purpose, at such time and conducted as the city council may direct. It shall be the duty of the city council to provide, either by taxation or by the issue of bonds, for the payment of all claims against the city, as rapidly as such claims fall due. All orders on the treasury shall be made payable on demand, and shall draw no interest. No appropriations shall be made for any public building, or other improvements out of the general fund of the city, except in such cases as where the city council shall not have authority to provide for the same by special taxation levied on the property benefited thereby, or where the city council shall, by resolution, declare that it will be unjust and unequitable that the property in the vicinity shall bear the expense of such improvements, and that such improvement

is required by the general interest of the city; and no appropriation shall be made for any public improvements until the expense of such improvement shall be estimated by the proper officers, and unless it shall be found by such estimated cost of all public works in progress, and other probable expense of the city, that such works can be completed within due time, by the ordinary surplus revenue of the city, and the issue of such bonds as the council is by law authorized to issue.

Appropriations.

Second.—To appropriate moneys, and to provide for the payment of the debts and expenses of the city.

Prevent contagious diseases

Third.—To make regulations to prevent the introduction of contagious diseases into the city, to make quarentine laws for that purpose, and to enforce them within the city, and within five miles thereof.

General health.

Fourth.—To make regulations to secure the general health and comfort of the inhabitants; to prevent, abate and remove nuisances, and punish the authors thereof by penalties, fines and imprisonment; to define and declare what shall be deemed nuisances, and authorize and direct the summary abatement thereof.

Wells, cisterns, etc.

Fifth.—To provide the city with water, to make, regulate and establish public wells, pumps and cisterns, by drains, hydrants and reservoirs in the streets within the city, or beyond the limits thereof, for the extinguishment of fires and the convenience of the inhabitants, and manufacturing interests, and to prevent the unnecessary waste of water.

To have exclusive power over streets.

Sixth.—To have the exclusive control and power over the streets, alleys and highways, and to abate and remove any encroachments or obstructions thereon; to open, alter, abolish, widen, extend, straighten, establish, regulate, grade, pave, plank, clean or otherwise improve any street or alley anywhere within the city limits, and to put drains or sewers therein, and to prevent the incumbering thereof, in any manner, and to protect the same from any encroachments or injury.

Erect bridges.

Sewers, drains.

Seventh.—To establish, erect, construct, regulate and keep in repair bridges, culverts and sewers, sidewalks and crossways, and regulate the construction and use of the same, and to abate any obstructions or encroachments thereof; to establish, alter, change and straighten the channel of water courses and natural drains; to sewer the same or to wall them up and cover them over, and to prevent, regulate and control the filling, altering or changing the channels thereof by private parties.

Lighting streets

Eighth.—To provide for the lighting of the streets and providing lamp posts and lamps therein, and regulate the lighting thereof, and, from time to time, to correct, alter or extend lamp districts; to exclusively regulate, direct and control the laying and repairing of gas pipes and gas fixtures in the streets, alleys and sidewalks.

Ninth.—To establish markets and market houses, and other public buildings of the city, and provide for the government and regulation thereof, and their erection and location. Markets and market houses.

Tenth.—To provide for the inclosing, regulating and improving of all public grounds and cemeteries belonging to the city; and to regulate the planting and preserving of ornamental and shade trees, in the streets and other public grounds. Public grounds

Eleventh.—To erect or establish one or more hospitals or dispensaries, and control or regulate the same. To establish hospitals.

Twelfth.—To prevent the incumbering of the streets, alleys, sidewalks or public grounds with carriages, wagons, carts, wheelbarrows, boxes, lumber, timber, firewood, posts, awnings, signs, or any other substance or material whatever; to compel all persons to keep snow and ice, dirt and other rubbish from the sidewalk and street gutters, in front of the premises occupied by them. Incumbering of streets, lanes and alleys.

Thirteenth.—To license, tax and regulate merchants, commission merchants, runners, and all venders, dealers and traders in any goods, wares, merchandize, groceries, billiard tables, and inn-keepers, bankers, brokers, pawn-brokers, money-changers, insurance brokers, insurance agents, lawyers, physicians and auctioneers, and to impose duties upon the sale of goods at auction; to license, tax, regulate and prohibit hawkers, peddlers, venders of goods by sample, grocery-keepers and keepers of ordinaries, theatricals or other exhibitions, shows or amusements. Merchants, peddlers, etc.

Fourteenth.—To license, tax, restrain or prohibit stallions, jacks, bulls and boars kept within the city for hire. Stallions, etc.

Fifteenth.—To license, tax, regulate and suppress hackmen, draymen, omnibus drivers, porters, and all others pursuing like occupations with or without vehicles, and prescribe their compensation, and to regulate and restrain runners for cars, stages and public houses. Hackmen, draymen and carters.

Sixteenth.—To prohibit and suppress disorderly houses, gaming and gambling houses, lotteries and all fraudulent devices and practices, and all playing of cards, dice and other games of chance, with or without betting, and to authorize the destruction of all instruments and devices used for the purpose of gambling. Suppress disorderly houses.

Seventeenth.—To authorize the proper officer of the city to grant and issue license, and to direct the manner of issuing and registering the same, and the fees and the charges to be paid therefor. No license shall be granted for more than one year, and no license shall be granted except with power reserved to the city council to revoke such license at pleasure. The city council shall have power to prohibit and punish the sale of intoxicating, alcoholic or spirituous liquors and wines, and to regulate, license, tax, prohibit and punish the sale of cider, beer, sodawater, Authorize proper officers to grant licenses.

Prohibit sale of liquor.

and all drinks not intoxicating; but not to license any house or place for the sale of intoxicating drinks of any kind.

Forestalling
and regrating.

Eighteenth.—To prevent, restrain and punish forestalling, regrating; to regulate the inspection and vending of fresh meats, poultry and vegetables, of butter, lard and other provisions, and the place and manner of selling fish, and inspecting the same.

Butchers.

Nineteenth.—To regulate, license and prohibit butchers, and to revoke their license for malconduct in the course of trade.

Weights and
measures.

Twentieth.—To establish standard weights and measures, and regulate the weights and measures to be used within the city, in all cases not otherwise provided for by law; to require all traders or dealers in merchandize or property of any description, which is sold by weights or measures, to cause their weights and measures to be tested and sealed by the city surveyor, and to be subject to his inspection. The standard of such weights and measures shall be conformable to the laws of this state.

Inspection of
lumber.

Twenty-first.—To regulate and provide for the inspection and measuring of lumber, shingles, timber, posts, staves, heading and all kinds of building material, and for the measuring of all kinds of mechanical work, and to appoint one or more inspectors or measurers.

Forage and fuel.

Twenty-second.—To provide for the inspection and weighing of hay, lime and stone coal, and the place and manner of selling the same; to regulate the measurement of firewood, charcoal and other fuel, to be sold or used in the city, and the place and manner of selling the same.

Beef, pork
and flour.

Twenty-third.—To regulate the inspection of beef, pork, flour, meal and other provisions, whisky and other liquors, to be sold in barrels, hogsheads and other vessels or packages; to appoint weighers, gaugers and inspectors, and prescribe their duties and regulate their fees: *Provided*, that nothing contained herein shall be so construed as to require the inspection of any articles enumerated herein, which are to be shipped beyond the limits of the state, except at the request of the owners thereof, or his agent.

Bread.

Twenty-fourth.—To regulate the quality and weight of bread to be sold or used within the city, and inspection thereof.

Bricks.

Twenty-fifth.—To regulate the size and quality of bricks to be sold or used within the city, and the inspection thereof.

Prevent riot-
ous conduct.

Twenty-sixth.—To prevent and suppress any riot, affray, noise, disturbance, or disorderly conduct or assembly, in any public or private place in the city.

Horse-racing
and fast driving.

Twenty-seventh.—To prohibit, prevent and suppress horse racing, immoderate riding or driving in the city, and to compel the stopping thereof, by any person authorized; to prevent, prohibit and punish the abuse of animals,

and to compel persons to fasten and well secure their horses, or other animals, attached to vehicles or otherwise, while standing or remaining in the streets or any vacant lot in the city.

Twenty-eighth.—To restrain and punish vagrants, mendicants, street beggars and prostitutes, and provide for the arrest and punishment of persons found intoxicated in the streets or public places in the city. Vagrants, etc.

Twenty-ninth.—To regulate, restrain or prohibit the running at large of horses, cattle, asses, mules, swine, sheep, goats and geese, and to authorize the distraining, impounding and sale of the same for the cost of the proceedings and the penalty incurred, and to impose penalties on the owners thereof for a violation of any ordinance in relation thereto; regulate, restrain and prohibit the running at large of dogs, and to authorize their destruction, when at large contrary to ordinance, and to impose penalties on the owners or keepers thereof. Stock at large.

Thirtieth.—To prohibit and restrain the rolling of hoops, flying of kites, or any other amusements or practices tending to annoy persons passing on the streets or sidewalks, or to frighten horses or teams; to restrain and prohibit the ringing of bells, blowing of horns or bugles, crying of goods, and all other noises, performances and practices tending to the collection of persons on the streets or sidewalks by auctioneers and others for the purpose of business, amusement or otherwise. Rolling of hoops, etc.

Thirty-first.—To abate all nuisances which may injure or affect the public morals, health or comfort in any manner they may deem expedient. To abate nuisances.

Thirty-second.—To do all acts and make all regulations which may be necessary or expedient for the protection or promotion of health and the prevention and suppression of disease. Sanitary regulations.

Thirty-third.—To direct the location and regulate the management of, and construction of breweries, tanneries, blacksmith shops, foundries, livery stables and packing houses and common horse or cow stables, pig styes, privies, and heneries; to direct the location and regulate the management and construction of and restrain, abate and prohibit within the city and to the distance of one mile from the limits thereof, distilleries, slaughtering establishments, establishments for steaming or rendering lard, tallow, offal, and such other substances as may be rendered, and remove cattle or hog or stock pens, or inclosures for the shipment of stock, and all other places and establishments where any nauseous, offensive or unwholesome business may be carried on. Breweries, tanneries, etc.

Thirty-fourth.—To compel the owners of any grocery, cellar, soap or tallow chandler or blacksmith shop, tannery, Clean private premises.

stable, privy, sewer or any other unwholesome nuisance, house or place, to cleanse, remove or abate the same as may be necessary for the health, comfort and convenience of the inhabitants.

Regulate the burial of dead.

Thirty-fifth.—To regulate and provide for the burial of the dead ; to establish and keep in repair one or more cemeteries ; to regulate the registration of births and deaths, to direct the keeping and returning of bills of mortality, and impose penalties on physicians and sextons, and all other persons for any default in the premises.

Census.

Thirty-sixth.—To provide for the taking an enumeration of the inhabitants of the city.

Work-house.

Thirty-seventh.—To erect and establish a work house, or house of correction ; make all necessary regulations therefor, and appoint all necessary keepers, assistants in such work house for house of correction—in which may be confined all vagrants, stragglers, idle or disorderly persons who may be committed there by any proper officer, and all persons sentenced by any criminal court, or magistrate's court in and for the city, for any assault, routs, riots, affrays, assault and battery, petit larceny or other misdemeanors, or breach of any ordinance of the city, punishable by imprisonment in any county jail ; and any person who shall fail or neglect to pay any fine, penalty or costs imposed by an ordinance of the city for any misdemeanor or breach of any ordinance of the city, may instead of being committed to the county jail of Champaign county, be kept therein subject to labor and confinement as the city council may by ordinance direct.

Preserve cleanliness in the city

Thirty-eighth.—To fill up, drain, cleanse, alter, relay, repair and regulate any grounds, lots, yards, cellars, private drains, sinks and privies, direct and regulate their construction and cause the expense thereof to be assessed and collected in the same manner as sidewalk assessments.

Railroad tracks, bridges, etc.

Thirty-ninth.—To direct and control the laying and construction of railroad tracks, bridges, turnouts and switches in the streets and alleys within the city ; to require the railroad tracks, bridges, turnouts and switches to be so constructed and laid out as to interfere as little as possible with the ordinary travel and use of the streets and alleys ; to direct and prohibit the use and regulate the speed of locomotive engines within the inhabited portion of the city.

Further powers of council.

Fortieth.—The city council shall have power to pass, publish, amend and repeal all ordinances, rules and police regulations not contrary to the constitution or laws of the United States or of this state, for the good government, peace and order of the city and the trade and commerce thereof, that may be necessary or proper to carry into effect the powers vested by this act in the corporation ; to determine what shall be a nuisance and provide for the punishment, removal and abatement of the same ; to enact and enforce

the observance of all such rules, ordinances and police regulations and to punish violations of the same by fines, penalties and imprisonment in the county jail, city prison or workhouse, or both, in the discretion of the court or magistrate before whom conviction may be had; but no penalty or fine shall exceed five hundred dollars, nor the imprisonment six months for any offence; and such fine or penalty may be recovered with costs in an action of debt, in the name or for the use of the city, before any court having jurisdiction, or by presentment or indictment in the circuit court; and any person upon whom any fine or penalty is imposed shall stand committed until the payment of the same and costs, and in a default thereof may be imprisoned in the county jail, city prison, work house, or required to labor on the streets or other public works of the city, for such time and in such manner as may be provided by ordinance.

Forty-first.—To regulate the election of city officers, and provide for removing from office any person holding an office created by ordinance. Elections.

Forty-second.—To fix the compensation of all city officers, and regulate the fees of jurors and witnesses and others for services rendered under this act or any ordinance. Compensation of officers.

Forty-third.—The city council shall have power to make all ordinances which shall be necessary and proper for carrying into execution the powers specified in this act, so that such ordinances be not repugnant to nor inconsistent with the laws and constitution of the United States, or of this state. Power to pass laws for government of the city

Forty-fourth.—There shall be one or more police magistrates in said city, elected as is now provided for by law, and their jurisdiction shall extend to all causes of action at common law, or by statute, when the plaintiff's demand shall not exceed one hundred (100) dollars, and to all causes of violation of any ordinance of this city, and all misdemeanors committed where indictment is not necessary to a conviction; and the city council may have power to designate by ordinance one or more justices of the peace, in said city, who shall have concurrent jurisdiction with the police magistrates in any action for the recovery of any fine, penalty or forfeiture under this act, or any ordinance, by law or police regulation; anything in the laws of this state to the contrary notwithstanding. Changes of venue shall be allowed from any police magistrate to any other police magistrate or to a justice of the peace having concurrent jurisdiction as aforesaid, and from a justice of the peace having concurrent jurisdiction to any other justice having concurrent jurisdiction or police magistrate. Police magistrates. Jurisdiction.

ARTICLE VI.

OF ASSESSMENTS FOR OPENING STREETS AND ALLEYS.

Opening streets
and alleys.

§ 36. The city council shall have power, upon the petition of the owners of two-thirds of the property fronting thereon, (and without such petition, by the unanimous vote of the city council,) to open and lay out public grounds or squares, streets, alleys and highways, or sections thereof, and to alter, widen and contract, straighten and discontinue the same; but no street, alley or highway, or any part thereof, shall be discontinued or contracted without the consent, in writing, of all persons owning land or lots adjoining said street, alley or highway, and the unanimous vote of the city council. The city council shall cause all streets, alleys and highways, or public squares or grounds, laid out by them, to be surveyed, described, and recorded in a book to be kept by the clerk, showing accurately and particularly the proposed improvement, and the real estate required to be taken; and the same, when opened and made, shall be public highways and public squares.

Proceedings in
case of opening
streets, alleys,
and highways.

§ 37. Whenever any street, alley or highway, public grounds or squares, is [are] proposed to be laid out, opened, altered, widened or straightened, by virtue hereof, and when the amount of compensation cannot be agreed upon, the city council shall give notice of their intention to appropriate and take the land necessary for the same, to the owner thereof, by publishing said notice by one insertion in a weekly paper, or three insertions in a daily paper, in the newspaper publishing the ordinances of the city; at the expiration of which time they shall appoint three disinterested freeholders, residing in the city, as commissioners to ascertain and assess the damages and recompense due the owners of said real estate, respectively, and at the same time determine what persons will be benefited by such improvement, and assess the damages and expenses thereof on the real estate in the neighborhood of the improvement, benefited thereby, in proportion, as nearly as may be, to the benefit resulting to each. A majority of the councilmen shall be necessary to a choice of commissioners. The commissioners shall be sworn faithfully and impartially to execute their duties to the best of their abilities. Before entering upon their duties, they shall give at least five days' personal notice of the time and place of their meeting for the purpose of viewing the premises and making their assessments; which notice shall be given to the owners who are residents thereof, and known. They shall view the premises, and, in their discretion, receive any legal evidence; and may, if necessary, adjourn from day to day.

§ 38. If there should be any buildings standing, in whole or in part, upon the land to be taken, the commissioners, before proceeding to make their assessments, shall first estimate and determine the whole value of such buildings to the owner, aside from the value of the land, and the actual injury to the owner in having such building taken from him or her; and, secondly, the value of such building to him or her to remove. Buildings taken

§ 39. At least five days' notice shall be given to the owner of such determination, when known, and a resident of the city, which may be given personally, or in writing left at his usual place of abode. If a non-resident, or unknown, like notice to all persons interested shall be given by one publication in the newspaper publishing the ordinances of the city. Such notice shall specify the buildings and the award of the commissioners. It shall also require the persons interested to appear by a day to be named therein, not exceeding thirty days, or give notice of their election, to the city council, either to accept the award of the commissioners, as allow such buildings to be taken with the land condemned or appropriated, or of their intention to receive such building at the value set thereon by the commissioners to remove. If the owner shall agree to remove such building, he shall have such reasonable time for that purpose as the city council may direct. Notice to owner.

§ 40. If the owner refuses to take the building at its appraised value to remove, or fails to give notice of his intention, as aforesaid, within the time prescribed, the city council shall have power to direct the sale of such building at public auction, for cash or on credit—giving five days' public notice of the sale. The proceeds of the sale shall be paid to the owner, or deposited to his use. When owner
refuses to take
at valuation.

§ 41. In making the assessment, the said commissioners shall ascertain the value of the land taken, and all expenses of the improvement and damages occasioned thereby, and then assess upon the property in the neighborhood benefited, in fair proportion, a sum sufficient to cover the whole amount thereof: *Provided*, that the assessment upon any such property shall not exceed the benefit derived to the owner of said property; which shall be paid by the owners, respectively, and be a first lien upon the property, on which it may be assessed and collected as assessments for public improvements are collected, by sale of the land, or otherwise. The value of the land taken from any owner shall be a credit to him on the assessment against him for his share of the improvement; and if more, the difference shall be paid him in money out of the city treasury, before the land is taken; and the commissioners shall particularly describe the lands and parcels on which either assessment may be made, and make a return Commissioners
to appraise the
value of land.

of their proceedings and assessments to the city council, within ten days after its completion.

Publication of
notice.

§ 42. The clerk shall give ten days' notice, by one publication in the newspaper publishing the ordinances of the city, that such assessment has been returned, and, on the day to be specified therein, will be acted upon by the city council, unless objections are made to the same by some person interested. Objections may be heard by the city council, and the hearing may be adjourned from day to day. The council shall have power, in their discretion, to alter, confirm or annul the assessment. If annulled, all the proceedings shall be void. If altered or confirmed, an order shall be entered directing a warrant to issue for the collection thereof.

Removal of
commissioners.

§ 43. The city council shall have power to remove the commissioners, and, from time to time, appoint others in place of such as may be removed, refuse, neglect, or are unable to serve.

Payment for
land taken.

§ 44. The land required to be taken for the making, opening, widening, straightening or altering any street, alley or other highway, or public grounds or square, shall not be appropriated until the damages awarded therefor to any owner thereof, under this act, shall be paid or tendered to such owner or his agent, or, in case such owner or agent cannot be found in the city, deposited to his or their credit in some safe place of deposit, other than the hands of the treasurer; and then, and not before, such lands may be taken and appropriated for the purpose required in making such improvements, and such streets, alleys or other highways or public grounds may be made and opened.

Appeals taken.

§ 45. Any person interested may appeal from any final order of the city council for opening, widening, altering or straightening any street, alley or other highway or public ground, to the circuit court. Upon trial of the appeal, all questions involved in said proceedings, including the amount of damages, shall be open to investigation, by affidavit or oral testimony adduced to the court, or upon application by the city or any party. The amount of damages may be assessed by a jury in said court, without formal pleadings, and judgment rendered accordingly. The court shall not set aside the proceedings or final order of the council for any omission or informality, without injury has resulted therefrom.

In case owner
is a minor.

§ 46. When any person known, or other person having an interest in any real estate, residing in the city, or elsewhere, shall be an infant, having no guardian, and any proceedings shall be had under this act, any court of record may, upon the application of the city council, or such infant or his next friend, appoint a guardian for such infant, taking security from such guardian for the faithful execu-

tion of such trust; and all notices and summons required by this act shall be served on such guardian; and the final determination of either the city council or court in the premises shall be conclusive on such infant, and the proceedings shall not be opened at any time thereafter.

§ 47. When the owners of two-thirds of the property on a street, lane, avenue or alley proposed to be opened, widened or altered, shall petition therefor, the city council may open, widen or alter such street, avenue, lane or alley, upon conditions to be prescribed by ordinance; but no compensation shall, in such case, be made to those whose property shall be taken for the opening, widening or altering such street, lane, avenue or alley, nor shall there be any assessment of benefits or damages that may accrue thereby to any of the petitioners.

When owners petition for the opening streets.

§ 48. When the whole of any lot or parcel of land or other premises, under lease or other contract, shall be taken for any of the purposes aforesaid, by virtue of this act, all the covenants, contracts and engagements between landlord and tenant, or any other contracting parties, touching the same, or any part thereof, shall, upon the confirmation of the report of the commissioners, respectively cease and be absolutely discharged.

Effect of condemning land.

§ 49. When part only of any lot, parcel of land or other premises, so under lease or contract, shall be taken for any of the purposes aforesaid, by virtue of this act, all the covenants, contracts, agreements and engagements respecting the same, upon the confirmation of the report of the commissioners, shall be absolutely discharged as to that part thereof so taken, but shall remain valid as to the residue thereof; and the rents, consideration and payments reserved, payable and to be paid for or in respect to the same, shall be so apportioned as that the part thereof justly and equitably payable for such residue, and no more, shall be paid or recoverable in any respect of the same.

Where only a part of the land is taken.

§ 50. But no property shall, by virtue of any act of this state exempting homesteads, be exempt from sale for non-payment of an assessment of a special benefit for establishing, opening, altering, extending or widening any street, avenue, lane or alley, of the city of Urbana.

Homesteads.

ARTICLE VII.

PUBLIC IMPROVEMENTS AND ASSESSMENTS THEREFOR.

§ 51. The city council shall have power, from time to time, upon the petition of the owners of two-thirds ($\frac{2}{3}$) of the property fronting thereon, or without such petition, by three-fourths vote of the city council, to cause any street, avenue, alley or highway, or section thereof, to be graded, regraded, leveled, paved, planked, blocked, stoned, graveled, curbed or macadamized, and keep the same in repair, and

Grading, paving and macadamizing.

Public buildings

to alter and change the same ; to cause side and cross walks, main drains and sewers and private drains or sections thereof to be constructed and laid, relaid, cleaned and repaired ; to cause lamp posts to be erected and lamps placed thereon ; and to cause gas pipes and gas fixtures to be laid and repaired ; to grade improve, protect and ornament any public square or other public ground now or hereafter laid out, and build any school or other public building necessary for the use of the city, and to make the necessary appropriation therefor ; and the city council shall have power to assess and collect of the owners of lots or real estate in the city of Urbana, specially benefited, an amount equal to the special benefit to said lot or real estate, by reason of said public improvement, in any manner not inconsistent with the law and constitution of the United States or of this state, as prescribed by ordinance.

Assessments
for benefits.

§ 52. That in all cases where assessment for special benefits may hereafter be made by the corporate authorities of Urbana, on any lot or real estate in such city for the purpose of improving any street, sidewalk or alley in front of or adjacent to such lot or real estate, or for any purpose or purposes whatever, either by ordinance, resolution or other proceedings, and such assessments for special benefit if not paid within the time fixed by the order or ordinance ordering such improvement upon which said assessment for special benefits were made, the city may apply to the county court of Champaign county for a judgment against said lot or real estate for the amount of said assessment for benefits on said lot or parcel of land, and all costs that may accrue in obtaining said judgment. Notice shall be given of such application by publication once in the newspaper publishing the ordinances of the city, or personally to the owners of said lots or real estate ; and the county court, on such application being made, shall render judgment against said lot or parcel of land for the amount of said assessment for special benefits and costs, and shall issue its precept to the sheriff of Champaign county, commanding him to sell said lot or real estate, or so much thereof as may be necessary to pay said judgment and costs, in the same manner and with like effect as if sold upon execution at law ; and the city council shall have full power to provide by resolution or ordinance for the making or levying such assessment of special benefits, and they shall have full power to fix the time of payment and kind and manner of serving the notice of such assessment for special benefits, attach a penalty, fine or forfeiture for the failure of payment of such assessment, and to collect from the owner of such lot or parcel of land prior to the application to the county court for judgment, which penalty or fine shall not exceed fifty dollars per day for each day he, she or they may be in default. The city council shall have full authority and power

Notice by publication.

to adopt, by ordinance, any and all rules and regulations which they may deem necessary for the full and efficient carrying out of this act, and full power is hereby invested in the county court of Champaign county to have, maintain and exercise jurisdiction in all as directed, and may accrue under this act; a suit may also be maintained in the name of the city of Urbana against the owner of the premises chargeable therewith, in any court of competent jurisdiction, as for money paid or laid out for his or her use at his or her request; and if said suit shall be commenced before the police magistrate or any justice of the peace, the common statutory form of summons shall be a sufficient summons.

Enforcement of
charter.

§ 53. No property shall, by virtue of any act of this state, exempting homesteads, be exempt from sale for the non-payment of any assessment of special benefits for public improvements as contemplated by this act.

ARTICLE VIII.

OF TAXATION.

• § 54. The city council shall have power within the city, by ordinance—

First.—To levy and collect annually, taxes not exceeding two cents on the dollar, on the assessed value of all real and personal estate and property within the city, and all personal property of the inhabitants thereof, made taxable by the laws of this state for state and county purposes, to defray the general and contingent expenses of the city not herein otherwise provided for; which taxes shall constitute the general fund.

Power to levy
and collect
taxes.

Second.—To annually levy and collect a school tax, not exceeding two (2) cents on the dollar, on all property taxable for state and county purposes, for purchasing ground for school houses, building and repairing school houses and supporting and maintaining schools.

Tax for repair-
ing school hou-
ses.

Third.—To levy and collect taxes, not exceeding two (2) cents on the dollar per annum, on all property subject to taxation, to meet the interest accruing on the debt of the city; and the city shall pass no ordinance or resolution incurring or creating a debt, without at the same time making provisions for the levying a tax sufficient to meet the payment of the interest accruing thereon when payable.

Interest on city
bonds.

Fourth.—To annually levy and collect taxes on all property subject to taxation, when required, for the erection of a city hall, markets, hospitals, city prison or workhouse; the purchase of market grounds, public squares or parks or other public improvement: *Provided* the estimated cost of a city hall, workhouse, hospital or market house may be apportioned by the city council and collected by a series of annual assessments; but the cost of market grounds, mar-

Tax for public
buildings.

kets, public squares or other improvements may be levied and collected upon all real estate and other property in the natural division of the city in which they are located. No local improvements under this section shall be ordered in any division of the city unless a majority of the aldermen thereof shall vote for the same; but no tax or taxes shall be levied in any one year under this section which shall exceed one (1) cent on the dollar on the property assessed, for any or all the purposes herein specified. The revenues arising from such market or other improvements shall be applied to the liquidating the cost thereof, and taxes shall be levied and collected to make the deficiency.

Lighting streets

Fifth.—To levy and collect upon all property in such district as the city council shall from time to time create, a tax sufficient to defray one half of the expense of erecting lamp posts and lamps, and lighting the streets in such district, and the tax thus collected shall be exclusively expended for such purposes in the district paying the same. The city council shall, on or before the first day of October, in each year, make and file with the clerk of Champaign county, a certificate stating the amount and percentage to be assessed and collected upon all taxable property within the city for the year therein specified; and upon the filing of such certificate as aforesaid, it shall be the duty of the said county clerk to extend said taxes.

May adopt the
state assessment

Sixth.—It shall be the duty of the collector of taxes for the state and county, to collect the taxes for said city of Urbana, upon the assessment of the value of all property within the limits of said corporation, as ascertained by the assessment for state and county purposes, and enforce the payment thereof in the same manner and with all the rights, power and authority as he has to collect state and county taxes, and shall pay the same over to the city treasurer of the city of Urbana, at the same time he is required to pay over the county revenue; and the county court of Champaign county shall render judgment and order sale of any lot or tract of land for the non-payment of the tax and costs due the city, as is or may be provided for state or county taxes, and judgment and sale shall be rendered for the aggregate amount due for county, state and city taxes. The collector shall receive the same compensation for collecting the taxes for the city as is allowed for the collection of the state and county revenue, to be paid out of the funds of the corporation; and he shall be liable on his bond for the faithful performance of the duties required under this act.

Labor on the
streets and al-
leys.

§ 55. To require every male resident of the city over the age of twenty-one (21) years and under the age of fifty (50) years to labor three (3) days in each year upon the streets and alleys of the city; but any person may, at his option, pay in lieu thereof one (1) dollar for each day he is

required to labor: *Provided* the same shall be paid within five (5) days after notification by the street commissioner. In default of payment as aforesaid, the sum of four (4) dollars and costs may be collected, and no set off shall be allowed in any suit brought to collect the same.

§ 56. The valuation of any property, real or personal, by the assessor shall not exceed the actual cash value of the same.

ARTICLE IX.

FIRE DEPARTMENT.

§ 57. The city council, for the purpose of guarding against the calamities of fire, shall have power to prohibit the erection, placing or repairing of wooden buildings within the limits prescribed by them without their permission, and direct and prescribe that all buildings within the limits prescribed shall be made or constructed of fire proof materials, and prohibit the re-building of wooden buildings; to declare all dilapidated buildings to be nuisances, and to direct the same to be repaired, removed or abated in such manner as they shall prescribe and direct; to declare all wooden buildings which they may deem dangerous to contiguous buildings, or in causing or promoting fires, to be nuisances, and to require and cause the same to be removed or abated in such manner as they shall prescribe. Provide for extinguishment of fires.

§ 58. The city council shall have power—

First.—To regulate the construction of chimneys and flues so as to admit of chimney sweeps or other mode of cleaning, and to compel the sweeping and cleaning of chimneys. Chimneys and flues.

Second.—To prevent and prohibit the dangerous construction of chimneys, flues; fire places, stove pipes, ovens, or any other apparatus used in or about any building or manufactory, and to cause the same to be removed or placed in a secure and safe condition, when considered dangerous. Fire places, etc.

Third.—To prevent the deposit of ashes in unsafe places, and to appoint one or more officers to enter into all buildings and inclosures to examine and discover whether the same are in a dangerous state, and to cause such as are dangerous to be put in a safe condition. Ashes.

Fourth.—To require the inhabitants to provide as many fire buckets, and in such manner and time as they shall prescribe, and to regulate the use thereof in time of fire; and to require all owners and occupants of buildings to construct and keep in repair wells or cisterns upon their premises. Fire buckets.

Fifth.—To regulate and prevent the carrying on of manufactories and works dangerous in promoting and causing fires. Manufactories.

- Fire works. *Sixth.*—To regulate, prevent and prohibit the use of fire works and fire arms.
- Gunpowder, etc. *Seventh.*—To prohibit or have the management of houses for storing of gunpowder, or direct and prohibit other dangerous materials within the city, and the use of candles and other lights in stables and other like houses.
- Walls, fences. *Eighth.*—To regulate and prescribe the manner and order the building of parapet and partition walls, and of partition fences.
- Scuttles, etc. *Ninth.*—To compel the owners or occupants of houses or other buildings to have scuttles in the roofs, and stairs or ladders leading to the same.
- Regulate conduct of persons at fires. *Tenth.*—To authorize the mayor, fire wardens, or other officers of said city, to keep away from the fire all and any suspicious persons, and to compel all officers of the city, and all others persons, to aid in the extinguishment of fires, and in the preservation of property exposed to damage or danger thereat, and in preventing goods from being stolen.
- Extinguishment of fires. *Eleventh.*—And, generally, to establish such regulations for the prevention and extinguishment of fires as the city council may deem expedient.
- Engines. *Twelfth.*—The city may procure fire engines and all other apparatus used for the extinguishment of fires, and have the charge and control of the same, and provide secure and fit houses and other places for keeping and preserving the same; and shall have power to organize fire, hook, hose, ax and ladder companies.
- Hook and ladder companies. *Thirteenth.*—The city council shall have power to appoint a chief and assistant engineer of the fire department upon a recommendation of a majority of the members composing the fire department of said city, and they, with the other firemen, shall take the care and management of the engines and other apparatus and implements provided and used for the extinguishment of fires; and their powers and duties shall be prescribed and defined by the city council.
- Engineers.

ARTICLE X.

A SYSTEM OF GRADED SCHOOLS.

- School district. § 59. All the territory within the limits of the city of Urbana, in said county of Champaign, according to the present or future boundaries, is hereby created into a common school district.
- School fund. § 60. The collector of Urbana township, the treasurer of Champaign county, the superintendent of schools of Champaign county, or any other person or persons having control or handling any portion of the school fund, are hereby authorized and required to pay to the treasurer of the board of education of Urbana school district, any and all moneys due, owing or belonging to said Urbana school district, that by law she is entitled to have.

§ 61. The trustees of schools, or other person or persons having custody or control of said fund, shall pay over and deliver to the board of education of Urbana school district the portion of funds to which said school district may be entitled. The public schools of said district shall be under the exclusive management and control of a board of education, to consist of the mayor of the city, who shall be president of the board, and one from each ward of the city, to be known as the "Board of Education of Urbana School District," each of whom, with the treasurer and clerk of said board, shall be sworn to discharge their duties with fidelity.

Division of the school fund.

§ 61. Said board shall have the exclusive control over the school lands, funds and other means of said district for school purposes, and shall have full power to do all acts and all things in relation thereto, to promote the end herein designated; may sell or lease said lands, or other lands or property which may have been or may hereafter be donated, purchased or designated for school purposes in said district, on such terms, for cash or credit, and such time as they may see proper; they shall have full power to receive conveyances or donations, and to make the necessary deeds or leases of land, and all conveyances by the board shall be signed by the president and secretary of said board, and acknowledged by some competent officer: *Provided, however*, that no sale or lease of land for more than one year shall be made without the concurrence of said board of education. A majority of the board of education, with or without the president, shall constitute a quorum for the transaction of business, and in the absence of the president, they may appoint one of their own body president, *pro tempore*. The president shall only vote in case of a tie, when he shall have the casting vote.

General powers of board.

President, pro tem.

§ 63. Said board shall have full power to buy or lease sites for school houses, with the necessary grounds therefor; to erect, hire or purchase buildings for school houses, and to keep them in repair; to furnish schools with necessary books, fixtures, apparatus and library or libraries; to establish, conduct and maintain a system of graded schools, to be kept in one or more buildings in said district; to supply the insufficiency of school funds for the payment of teachers, and other school purposes and expenses, by school taxes, to be levied and collected as hereinafter provided; to determine the number, make the appointment and fix the amount of compensation of teachers within said district, and to appoint a general superintendent of schools, prescribe his duties and fix his salary, and to appoint all other agents and servants and fix their pay: *Provided*, that the said board of education shall in no case receive any compensation except such as may be determined and fixed by the city council; to prescribe the studies to be taught and books to be used, including maps, books, charts, globes, etc.;

Powers of the board to establish graded schools.

to lay off and divide said district into smaller districts, and to alter the same and erect new ones at pleasure; to pass by-laws, rules and regulations to carry their powers into complete effect and execution, and for the government of their own body, their officers, agents and servants, and providing for their meetings and adjournments, and generally to have and possess all power and authority necessary for the proper establishment and control of an effective system of graded schools within said district, and they shall visit each and all the schools therein as often as may be necessary.

Duties of board of education.

§ 64. It shall be the duty of said board of education, and they shall have full power to determine the amount of money needed and to be raised for school purposes, over and above the amount of the school funds hereinbefore enumerated, or from other sources: *Provided*, said board shall not for any one year require to be raised more than two (2) per centum, for the benefit of said schools, on the assessed value of the real and personal property of said city for each year, without a majority of the voters of said city authorize them to do so, at an election to be held for that purpose, at such time and conducted as the board may direct; nor shall said board or said city council make any loan whatever for school purposes without a previous authority by such vote, but with the concurrence of a majority of such voters it shall be lawful to raise such sum, either by taxation or loan, as such board may see proper; and before the first day of August, of each year, they shall determine the amount required to be collected by taxation for expenditure for one year, from the said first day of August, for the next ensuing year, for school purposes generally, and certify the amount to the city council of Urbana.

Shall estimate amount required for schools.

School taxes.

§ 65. It shall thereupon be the duty of the city council to levy said sum, or so much thereof as they may deem necessary, on all the real estate and personal property of said city, according to the assessment and valuation thereof, for the current year, equally, by a certain rate per centum, and collect the same as other city taxes are collected. A special column shall be prepared in the city duplicate headed "School Purposes," in which shall appear the amount of tax for school purposes chargeable against such parcel of real estate or amount of personal property; and when said taxes are collected the treasurer shall keep a separate account of the same, and they shall be applied and used for school purposes only, and shall be paid only on the order of said board.

Abstract of the children.

§ 66. It shall be the duty of the board to cause an abstract of the whole number of children, under the age of twenty-one (21), within said district, to be made, and furnish the same with such further information as is required in sections 36 and 79 of "An act to establish and maintain a

system of free schools," approved Feb. 16, 1847, to the school superintendent of Champaign county, Illinois, within ten days after the same shall have been ascertained, and the county superintendent of schools shall pay annually to the said board, for the exclusive use of said district, the amount the district is entitled to receive from the funds that are or may be in his hands subject to distribution for the support and benefit of the schools in said county, in accordance with the provisions of the free school law now in force, the same as if no special charter had been conferred upon the schools of the city [of] Urbana.

§ 67. The city council of the city of Urbana are hereby vested with full power to borrow such sums of money, being subject to the restrictions contained in the seventh section of this act, as they may deem necessary for school purposes in said district, at a rate of interest not exceeding ten (10) per centum, which may be made payable semi-annually, at such place as may be agreed upon, and the money when so borrowed, shall be placed under the control of the board of education. Council may borrow money.

§ 68. The treasurer and clerk of Urbana City shall be the treasurer and clerk of the board of education, and the board shall determine their duties, compensation, and amount of security to be given. Treasurer and c.erk.

§ 69. Said board shall cause all funds not needed for immediate use, to be loaned at the rate of ten per cent. per annum, interest payable semi-annually in advance. No loan shall be made for a longer period than five years, and if exceeding one hundred dollars, shall be secured by unincumbered real estate of at least double the value of the loan, without estimating perishable improvements. For any sum of one hundred dollars and under, good and satisfactory personal security may be taken. Fund loaned.

§ 70. All notes and securities shall be to the treasurer of the city of Urbana, for school purposes, and the borrower shall be at all expense for examining titles and preparing and recording papers. Securities, etc.

§ 71. In settling the estates of deceased persons, debts for school purposes shall be preferred to all others, except those attending the last illness of the deceased and his funeral expenses, including the physician's bill. Indebtedness.

§ 72. If default be made in the payment of interest or of the principal, when due, interest at the rate of twelve per cent. per annum on the amount due, shall be charged, from the default, and recovered by suit. Suit may be brought for the interest only, whether the principal be due or not; and if the interest be not paid within ten days after the same becomes due, the principal, at the option of the holder of the note, shall thereby become due, and may be recovered by suit, if necessary. If suit be brought for the collection of any money made payable to the treasurer of Suits instituted.

the board of education under this act, a reasonable attorney fee may be collected from the maker of the note.

Judgment.

§ 73. All judgments for principal and interest, or both, shall draw interest at the rate of ten per cent. from the rendition of judgment, and said board may purchase in property sold on execution or decrees, in their own favor, as in other cases. No judgment for costs shall be rendered against said board to be paid from the school funds.

When principal and interest is doubtful, how to proceed.

§ 74. If the security for any loan or other debt due the school district, in the judgment of the board becomes doubtful or insecure, they shall cause the debtor to be notified thereof, and if he shall not immediately secure the same to the satisfaction of the board, the principal and interest shall thereby become due immediately, and suit may be brought against all the makers of the notes, although such condition or stipulation be not inserted in the note.

Board to be appointed by ballot.

§ 75. The board of education shall be appointed, one in each ward of said city, by the city council, by a majority vote on ballot, and no person shall be appointed, unless a householder and a resident of said ward for which he is appointed, and each shall serve and hold his office for the term of one year from the date of their said appointment.

Vacancies, how filled.

§ 76. All officers under this act shall hold their office until their successors are appointed and qualified. Removal from his ward, by any member of the board of education, shall vacate his office, and whenever any vacancy shall occur in the board of education, the city council of Urbana shall supply the same, upon notice thereof by the clerk of said city; which appointment shall be for the unexpired term only.

Annual statement.

§ 77. Said board of education shall publish annually the statement of the number of pupils instructed the preceding year, the several branches of education pursued, the receipts and expenditures of each school, specifying the sources of such receipts and the object of such expenditure.

Powers of the board to admit pupils.

§ 78. Said board shall have the power to admit persons who do not reside within said district, into said school, upon such terms as may be agreed upon by the board.

White children to be admitted.

§ 78. All free white persons over the age of six years, and under the age of twenty-one years, residing within said district, shall be admitted to said school free, or upon the payment of such tuition as the board shall prescribe; but nothing herein contained shall prevent persons from being suspended, expelled or kept out of said school altogether for improper conduct.

Colored school.

§ 80. There may be maintained at least one school for colored children, to be under the control of the board as the board may direct.

Purchasing or leasing grounds

§ 81. In purchasing or leasing grounds or buildings for school purposes, said board of education may do so on credit, and when the price and conditions of the purchase or

lease is agreed upon, the board may certify the same to the city council of Urbana, and the city council shall make or cause to be made to the proper party, the bonds or obligations of said city, for the payment of the purchase money, according to said terms; said contract shall be signed by the mayor and attested by the city clerk under the corporate seal, and they shall be binding upon said city: *Provided* a majority of the city council shall consent to the same; and the city council shall provide for the payment of the same and the interest thereon as it becomes due as though they were executed by the city of Urbana.

§ 82. The fiscal school year shall commence on the first of School year. July of each year, and no board or member thereof shall contract with or hire any teacher for any other year than that for which he was elected to serve as a member of the board.

§ 83. Any and all fines or forfeitures of recognizance in the circuit court of Champaign county against inhabitants of the city of Urbana, shall be paid to the school fund or Urbana school district. Fines and forfeitures, how applied.

ARTICLE XI.

MISCELLANEOUS PROVISIONS.

§ 84. The city council shall have power to cause the lots and blocks of the city to be surveyed, platted and numbered in consecutive numbers from one (1) upwards, and to designate and number all fractional or other lots or blocks in such manner as they may prescribe by ordinance; and such plat, designation and numbers, when made and duly recorded, shall be a good and valid description of said lots, blocks or fractional lots or blocks; to establish, mark and declare the boundaries and names of streets and alleys; to require that all additions hereafter made to said city or all lands adjoining or within the same, laid out into blocks or lots, shall be so laid out and platted to correspond and conform to the regular blocks, streets or alleys already laid out or as they may be hereafter changed and established within the city. Survey and plat.

§ 85. The street commissioner, in addition to the penalty prescribed by ordinance, shall for willful neglect of duty be liable to indictment and fine. Liability of street commissioner.

§ 86. Neither the city council or mayor shall remit any fine or penalty imposed for any violation of any of the laws or ordinances of said city, or release from confinement, until two-thirds of all the aldermen elected shall vote for such release or remission; nor shall anything in this act be so construed as to oust any court of jurisdiction to abate and remove any nuisance within its jurisdiction by indictment or otherwise. Remission of fines.

Vote of city council, how rescinded.

§ 87. No vote of the city council shall be reconsidered or rescinded at a special meeting unless the meeting be called in whole or in part for that purpose, and the aldermen be so notified, and unless at such special meeting there be present as large a number of aldermen as was present when the vote was taken.

Cemeteries.

§ 88. The cemetery lots which may be laid out and sold by the city or private persons for private places of burial shall, with the appurtenances, forever be exempt from execution, attachment and taxation.

Publication of ordinances.

§ 89. Every ordinance, regulation and by-law imposing any penalty, fine, imprisonment or forfeiture for a violation of its provisions, shall, after its passage thereof, be published three days, when there is a daily paper published in said city, otherwise once in a weekly paper; but if no paper be published in said corporation, then by posting up copies of said ordinance, regulation or by-law in four public places in said city: *Provided*, the proof of such publication shall not be necessary unless it be denied under oath, and such publication may be dispensed with entirely, in cases of emergency, by the unanimous vote of the council; and proof of such publication by the affidavit of the printer or publisher of such newspaper, taken before any officer authorized to administer oaths, and filed with the clerk, or any other competent proof of such publication, shall be conclusive evidence of the legal publication and promulgation of such ordinance, regulation or by-law, in all courts and places.

Suits vested in corporation.

§ 90. All actions brought to recover any fine, penalty or forfeiture incurred under this act or any ordinance, by-law or police regulation made in pursuance thereof, may be brought in the corporate name. It shall be lawful to declare generally in debt for such penalty, fine or forfeiture, stating the clause of this act, or the by-law or ordinance under which the penalty or forfeiture is claimed, and to give the special matter in evidence under, or the defendant may be tried by presentment in the circuit or magistrate's court.

First process as summons.

§ 91. In all prosecutions for any violation of any ordinance, by-law or regulation, the first process shall be a summons, unless oath or affirmation be made for warrant as prescribed by ordinance.

Jurisdiction of magistrates.

§ 92. The police magistrate or any justice of the peace in said city shall have jurisdiction for the recovery of any fine, penalty or forfeiture under this act, or any ordinance, by-law or police regulation, anything in the laws of this state to the contrary notwithstanding. Such magistrate or justice shall have power to impose fines and penalties not exceeding five hundred dollars.

Execution may issue on rendition of judgment

§ 93. Execution may issue, immediately, upon rendition of judgment, and the same execution shall require that if

the defendant has no goods, chattels or real estate within the county of Champaign, whereof the judgment can be collected, that the defendant be arrested and confined in the county jail, work-house or city prison, for a term not exceeding six months, as the council by ordinance may determine. And all persons who shall be committed under this section shall be confined one day for each one dollar of such judgment, costs, and all expenses incurred in the prosecution, for the recovery of any fine, penalty or forfeiture; and when any such fine, penalty or forfeiture is collected, it shall be paid into the city treasury.

§ 94. No person shall be rendered incompetent as a judge, justice or juror, by reason of his being an inhabitant or freeholder in said city of Urbana, in any action or proceeding in which said city may be a party in interest. Incompetent judges and witnesses. |

§ 95. All ordinances, regulations and resolutions now in force in the city of Urbana, and not inconsistent with this act, shall remain in force under this act until altered, modified or repealed by the city council, after this act shall take effect. Old ordinances valid.

§ 96. All rights, actions, fines, penalties and forfeitures, in suit or otherwise, which have accrued, shall be vested in and prosecuted by the corporation hereby created. Actions vested in corporation.

§ 97. All property, real or personal or mixed, belonging to the city of Urbana, is hereby vested in the corporation created by this act; and the officers of said corporation now in office shall, respectively, continue in the same until superceded in conformity to the provisions hereof, but shall be governed by this act from and after its passage. All property vested in corporation.

§ 98. All ordinances of the city may be proved by the seal of the corporation, and when printed and published in pamphlet or book form, and purporting to be printed and published by authority of the corporation, the same shall be received in evidence, in all courts and places, without further proof. Ordinances to be evidence.

§ 99. The style of all ordinances shall be, "*Be it ordained by the City Council of the City of Urbana.*" Style of ordinances.

§ 100. Any tract of land adjoining said city, which may be laid out into blocks or lots and duly platted according to law, and any tract of land adjoining said city, with the consent of the owner thereof, shall and may be annexed to said city and form a part thereof. Additions to the city.

§ 101. This act shall not invalidate any legal act done by the mayor and city council or by its officers, nor divest their successors under this act of any rights of property, or otherwise, or liability which may have accrued to or been created by said corporation prior to the passage of this act. Former acts valid.

§ 102. All officers of the city created conservators of the peace by this act, or authorized by any ordinance, shall have power to arrest, or cause to be arrested, with or with- Arrests, with or without warrant.

out process, all persons who shall break the peace or threaten to break the peace, or be found violating any ordinance of this city, commit for examination, and, if necessary, detain such person in custody over night, or the Sabbath, in the county jail, city jail or prison, watch-house or other safe place, or until they can be brought before a magistrate; and shall have and exercise such other powers, as conservators of the peace, as the city council may prescribe.

Publication of a digest of the ordinances. § 103. There shall be a digest of the ordinances of the city, which are of a general nature, published within one year after the passage of this act, and a like digest within every period of five years thereafter.

Evidence of act. § 104. This act shall be deemed a public act, and may be read in evidence without proof, and judicial notice shall be taken thereof in all courts and places.

City pound. § 105. The city council shall have power to construct or lease an inclosure, or buy or lease a lot or tract of land to be used as a city pound, which may be established, altered or removed to any place within the limits of the corporation, by resolution of the city council.

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

APPROVED April 1, 1869.

In force March
9, 1869.

AN ACT to amend an act to incorporate the city of Vandalia.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That an act entitled "An act for the better government of towns and cities, and to amend the charters thereof," approved February 27th, 1854, shall apply to and be in full force in the city of Vandalia.

Conflicting acts
repealed.

§ 2. All parts or provisions of an act to incorporate the city of Vandalia, to which this is supplemental, which are inconsistent with the provisions of this act, or of the act referred to in the first section of this act, be and the same are hereby repealed.

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

APPROVED March 9, 1869.

AN ACT to provide for an additional police magistrate in the city of War- In force March
saw. 10, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That at the next charter election of the city of Warsaw, in the county of Hancock, and state of Illinois, one additional police magistrate may be elected, who shall hold his office for the same term, shall have the same powers and be subject to the same duties as other police magistrates in this state.

§ 2. The police magistrates of said city of Warsaw shall have the same jurisdiction, within said city of Warsaw, and throughout said county of Hancock, and shall receive the same fees, as is now provided by law for the police magistrates of the city of Galesburg, in this state. Jurisdiction of police magistrate.

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

APPROVED March 10, 1869.

AN ACT to amend an act entitled "An act to incorporate the city of Wau- In force Feb. 24,
kegan." 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the city council of said city of Waukegan shall have power to levy and collect taxes, annually, on the assessed valuation of all real and personal property within said city, as follows: Levy and collect tax.

First.—For general purposes, not exceeding one dollar and fifty cents on each one hundred dollars' of valuation. For general purposes.

Second.—For the purpose of supporting a system of free schools in said city, not exceeding one dollar and fifty cents on each one hundred dollars' of valuation. Free schools.

§ 2. That whenever said city shall be unable to meet its liabilities at maturity, said city council shall have power to issue warrants on the treasury of said city, in such amounts as said city council shall deem proper, drawing interest at a rate not exceeding ten per cent. per annum, for the amount of such liabilities; and all warrants heretofore drawn on the city treasury, bearing interest, are hereby legalized. Draw warrants.

§ 3. The act to which this act is an amendment is hereby amended by inserting, after the word "mayor," in section six (6) thereof, the words, "two (2) supervisors." Also, by striking out section sixty-eight (68) of said act and inserting, in lieu thereof, as follows: "The supervisors elected under the provisions of this act shall be members Supervisors. Act amended.

of the board of supervisors of Lake county, possessing all the authority, rights, powers and privileges of members of the board of supervisors of said county, for all purposes whatsoever.

Conflicting
acts repealed.

§ 4. That all acts in conflict with this act, except section sixty-seven (67) of the act to which this is an amendment, are hereby repealed.

§ 5. That that this act shall be in force from and after its passage.

APPROVED February 24, 1869.

In force March
30, 1869.

AN ACT supplemental to an act entitled "An act to amend an act entitled 'an act to incorporate the city of Waukegan,' approved February 24, 1869."

Construction of
act.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the act to which this is supplementary shall not be so construed as to repeal or affect that part of section thirty-five (35), of the act entitled "An act to incorporate the city of Waukegan," which provides for the levying of a special tax for the purpose of erecting the necessary houses for school purposes in said town, and submitting the question in relation thereto to a vote of the people. That all of section 2 of the act to which this act is supplementary is hereby repealed, except the words "and all warrants heretofore drawn on the city treasury, bearing interest, are hereby legalized."

Sec. 2 repealed.

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

APPROVED March 30, 1869.

In force third
Tuesday in
March.

AN ACT to amend an act entitled "An act to amend the charter of the city of Wilmington, county of Will, and state of Illinois."

School fund,
how vested.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all buildings, lots and property belonging to school district number one (1), in town thirty-three (33), range nine (9) east, in Will county, Illinois, are hereby vested in the city of Wilmington, Will county, Illinois, for school purposes.

Powers of the
council.

§ 2. The common council of said city shall have power—

First.—To build, erect, repair, purchase, hire or lease buildings for school houses and other school purposes. Build school houses.

Second.—To buy, condemn, appropriate and lease sites and lots for school houses, and the necessary grounds. School sites.

Third.—To furnish schools and school houses with the necessary library, furniture, apparatus, fixtures, appurtenances and conveniences. Necessary furniture, etc.

Fourth.—To establish and maintain schools ; to levy and collect taxes for the payment of teachers, and all other expenses necessary for the proper support of such schools. Payment of teachers.

Fifth.—To fix the amount of compensation to be allowed to teachers. Compensation.

Sixth.—To prescribe the school books to be used, and the studies to be taught in the different schools. School books.

Seventh.—To prescribe the duties of the board of school inspectors. Inspectors.

Eighth.—And, generally, to have and possess all the rights, powers and authority necessary for the proper regulation and management of schools in said city, and to enact and to enforce such ordinances, by-laws and regulations as may be necessary to carry these powers and duties into effect. Management.

§ 3. There shall be elected, at the first annual charter election for city officers, held in the city of Wilmington, after the passage of this act, three school inspectors, to hold their offices one for one year, one for two years, and one for three years—to be determined by lot—so that one inspector shall be elected each year, at the regular charter election of the city, thereafter, to hold his office for three years. Election of inspectors.

§ 4. It shall be the duty of the board of school inspectors, on or before the last Tuesday in each school year, to publish in the corporation newspaper a full report of the number of pupils instructed in the year preceding, the several branches of education taught, the amount paid to each teacher, the incidental expenses of each school, and the receipts and expenditures of the respective schools—specifying the sources of such receipts and the object of such expenditures. Report of.

§ 5. That all territory, outside of the city limits of said city, contained in school district number one, to-wit: Section thirteen (13), east half of section fourteen (east $\frac{1}{2}$ sec. 14), section twenty-four (24), section twenty-three (23), west half of section twenty-six (w. $\frac{1}{2}$ sec. 26), west half of section thirty-five (w. $\frac{1}{2}$ sec. 35), all that portion of section twenty-two (22) lying east of the Kankakee river, of township thirty-three (33), range nine (9), and the southwest quarter of the southwest quarter of section thirty (s. w. $\frac{1}{4}$ of s. w. $\frac{1}{4}$ sec. 30), in township thirty-three (33), range number ten (10), be added to the territory within the limits of said city for school purposes and no other ; and the said city is here- Boundaries of district.

by fully authorized and empowered to levy and collect taxes on all the property, of all kinds, in said territory hereby annexed, the same as in other parts of said city, for erecting, building, leasing and repairing school houses, and furnishing the same, purchasing libraries and necessary apparatus therefor, the support and maintenance of schools, and for all other school purposes, and no other purposes: *Provided*, that no tax for school purposes shall be levied and collected on or from any property, real or personal, contained in the territory above described as lying outside of the city limits, without the consent of the school inspectors. All moneys collected for school purposes shall be kept as a separate fund, and expended for school purposes only; and the said city is further authorized and empowered to have and to exercise all necessary jurisdiction over said territory, and the property and the rights of property therein, to fully carry out and into effect the provisions of this section; and the legal voters of said territory hereby attached are hereby authorized to vote for school inspectors of said city, at any place in said city where such election may be held, and are hereby declared eligible to the office of school inspector. A separate ballot-box shall be provided, in which the inspectors of election shall receive all votes cast for school inspectors, the names of which shall be on a separate ticket.

Apportionment
of school fund.

§ 6. The common council shall have power to demand and receive, from the trustees of schools in township thirty-three north, range nine, in the county of Will, and from the treasurer of the school fund of said township, semi-annually, such portion of the interest of said school fund and such other funds as the school district of said city or the schools therein are now or hereafter may be, by law, entitled to receive.

Office of direc-
tor vacated.

§ 7. The common council shall possess the same powers and be subject to the same obligations and liabilities of the directors of school district number one, in township thirty-three (33) north, range nine, in the county of Will, and state of Illinois; and the office of school directors in said district is hereby vacated.

§ 8. This act is hereby declared to be a public act, and shall be in force from and after the third Tuesday in March next.

APPROVED April 9, 1869.

AN ACT supplementary to an act entitled "An act to amend an act entitled 'an act to amend the charter of the city of Wilmington, county of Will, and state of Illinois,' and approved April 9, 1869." In force March 15, 1869.

WHEREAS, a board of school inspectors was elected in said city of Wilmington on the 16th day of March, 1869, under the provisions of section 3 of the act to which this act is supplementary, under the supposition that said act was then in force, while, in fact, said act was not approved till the 9th day of April, 1869; therefore, Preamble.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the said election of school inspectors in said city of Wilmington is hereby legalized and declared valid, to all intents and purposes whatsoever—the official term of said inspectors to commence April 9, 1869. Election legal.

§ 2. Section 8 of the act to which this act is supplementary is hereby amended, so as to read as follows: "This act is hereby declared to be a public act, and shall be in force from and after the date of its approval." Act amended.
When act to take effect.

APPROVED April 15, 1869.

CITIES—OBLIGATIONS.

AN ACT to legalize certain bonds issued by the city of Alton, and to provide for their payment. for March 29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the bonds of the city of Alton, issued by virtue of an ordinance passed by the common council of said city December seventh (7), 1868, be and the same are hereby declared legal; and for the payment of the principal of said bonds, the common council of said city is hereby authorized and required to levy, for the years 1875 and 1876, so much of the special tax authorized by an act entitled "An act to amend the charter of the city of Alton," approved February 16th, 1865, as will pay such principal, and to collect the same in money, and pay the same over to the treasurer of said city, who shall keep the same a distinct fund for the payment of the said bonds; and if, after paying all such bonds, a surplus should remain in his hands, he shall apply it as directed by the common council of said city. Issue of bonds legalized.

§ 2. This act shall be in force from and after its passage.
APPROVED March 29, 1869.

In force March 3, 1869. AN ACT to confirm an act entitled "An act to legalize the proceedings of the town of Aurora, in the county of Kane, and state of Illinois, at the annual town meeting held the second day of April, A. D. 1867, in said town, in relation to appropriating money to secure the permanent location of the shops of the Chicago, Burlington and Quincy Railroad Company at Aurora, and for other purposes therein mentioned," approved June 13th, A. D. 1867.

Preamble. WHEREAS, under the act above mentioned and for the purposes therein specified, the city of Aurora have issued twelve thousand dollars, in the bonds of said city, to Isaac M. Howell and Edward R. Allen; and, whereas, doubt has arisen as to the validity of said act, on the grounds of the governor's want of authority to embrace the subject matter thereof in this call for said special session—therefore,

Act legalized. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the above mentioned act, so as aforesaid, passed at the general assembly, in June, eighteen hundred and sixty-seven, and approved the thirteenth day of that month, be and the same is hereby, in all things, legalized and confirmed, and the aforesaid act of the said city in issuing the aforesaid bonds is also legalized and confirmed; and the said city is hereby authorized and empowered, and it is hereby made the duty of its common council to impose, levy and collect the taxes necessary to pay the principal and interest of said bonds, according to their tenor and effect, as in said act is provided, or otherwise, as the said common council may deem proper.

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

IN FORCE March 3, 1869.

I, EDWARD RUMMEL, Secretary of State, do hereby certify that the foregoing act of the Twenty-sixth General Assembly of the State of Illinois was filed in the office of the Secretary of State, March 3, 1869, without the signature of the Governor, but, by virtue of Section 21, Article IV, of the Constitution of this State, the same is now declared a law, having been retained over ten days by the Governor after its reception.

EDWARD RUMMEL, Sec'y of State.

In force March 30, 1869. AN ACT to amend an act entitled "An act to authorize the city of Belleville and the town of Mascoutah to issue bonds," approved March 5, 1867.

Act amended. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in section number one (1) of said act, that after the word "bearing," the words "not exceeding" be inserted.

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

APPROVED March 30, 1869.

AN ACT to enable the city of Bloomington to issue bonds and levy a tax In force March
for the purpose of paying for the grounds recently purchased in said city 3, 1869.
by the Chicago and Alton Railroad Company, for their machine shops.

WHEREAS, The citizens of the city of Bloomington, in Preamble.
order to induce the Chicago and Alton Railroad Company
to erect in said city large and permanent shops, for the
purpose of doing the manufacturing and repairing of the
machinery for the operation of the said Chicago and Alton
railroad, did guarantee to said railroad company that, if
said company should purchase within said city the neces-
sary grounds for said purpose, and pay for the same, and
erect in said city permanent shops for said purpose, that
the said city would repay to said company the entire cost
of said grounds, together with interest on the same at the
rate of ten per cent. per annum, from and after its expendi-
ture, within the period of two years from and after the first
day of April, 1868; and

WHEREAS, The said company did purchase and pay for,
within said city, grounds for said purpose, at a cost to said
company of about \$50,000, and have partly erected and
have in the course of erection large, elegant and substan-
tial buildings, for the purpose of said shops: therefore,

SECTION 1. *Be it enacted by the People of the State of*
Illinois, represented in the General Assembly, That the Issue bonds.
mayor and council of the city of Bloomington, in the
county of McLean, in the state of Illinois, be and they are
hereby empowered and directed to either issue the bonds
of said city, in five equal installments, due in one, two,
three, four and five years from and after the first day of
April, 1869, with interest coupons—bonds and coupons
payable at the office of the treasurer of said city, bearing
interest at the rate of ten per cent. per annum, and one-
fifth of said bonds to fall due annually—to an amount suf-
ficient to reimburse said company the entire cost of said
ground, together with ten per cent. interest thereon, from
and after the same was expended by said company and to Levy tax.
levy a tax upon all the taxable property in said city, suffi-
cient to pay the principal and interest of said bonds, as
they severally fall due; or, in their discretion, they may
levy a tax at once upon the taxable property of said city,
sufficient to reimburse said company for the money exp-
ended in the purchase of said ground, and interest on the
same at the rate of ten per cent. per annum, from and after
the time it was so expended by said company; and they
shall either issue said bonds, and commence the levy of a
tax for the payment of the principal and interest on them,
as above, or levy the tax for the payment of the entire sum,
as above, within six months after the passage of this act.

§ 2. This act shall be in force from and after its passage, and shall be deemed and taken in all courts and elsewhere as a public act.

This bill having been returned by the governor with objections thereto, and after reconsideration having passed both houses by a constitutional majority, it has become a law this third day of March, A. D. 1869.

EDWARD RUMMEL,
Secretary of State.

In force June 19, 1869. AN ACT to authorize the city of Bloomington to issue bonds for sewerage.

Issue bonds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the city of Bloomington is hereby authorized to issue bonds, not exceeding in amount the sum of \$50,000, and not exceeding in any one year the sum of \$10,000, of such denominations as the city council of said city shall determine, to draw interest at a rate not to exceed ten per cent. per annum, payable annually at the treasury of said city. Said bonds shall be made redeemable from time to time, as said city council shall direct, at its treasury in Bloomington: *Provided*, that the redemption of said bonds shall not be extended longer than twenty years. No bond shall be issued except by special order of the council of said city, at a regular meeting thereof, to be entered on the records of said council. Each bond shall be numbered, signed by the mayor and clerk of said city, and have the seal of said city affixed, and be countersigned by the treasurer of said city. The clerk and treasurer shall both keep a particular record of the number, denomination, date, and the time when each bond so issued shall be redeemable.

Sewerage.

§ 2. Said bonds shall be sold or negotiated to defray the expenses of a general system of sewerage, which may be adopted and carried out in said city, and for no other purpose; and no bond or bonds shall be issued till the proceeds thereof shall be needed to pay for materials or labor, or both, then contracted for such sewerage. The proceeds arising from the sale of any of said bonds shall be kept and accounted for by the treasurer of said city, separate and independent from all other funds.

APPROVED March 31, 1869.

AN ACT to authorize the city of Centralia to issue bonds.

In force April
19, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the city council of the city of Centralia be and they are hereby authorized to submit to the legal voters of said city, at such time and in such manner as said council shall order and direct, the question of issuing the bonds of said city, to an amount not exceeding fifty thousand dollars, to be offered and given in aid to the Southern Illinois Normal University, if the same is located at said city of Centralia.

Issue of bonds.

Authority to
be derived from
the people.

§ 2. That if the majority of those voting at an election held under authority of the first section of this act shall vote in favor of the issue of bonds by the city council for the purposes named in said section, then the city council of Centralia shall be authorized to offer any amount of said bonds, not to exceed fifty thousand dollars, to said Southern Illinois Normal University, to secure its location at Centralia, and, if said school is located at Centralia, shall be authorized to issue bonds in amounts of one hundred, five hundred and one thousand dollars each, payable at such times and places as said city council shall designate, and bearing interest at the rate of five per cent. per annum. Said bonds shall be signed by the mayor of said city of Centralia, and countersigned by the clerk of said city, with the seal attached.

Sale of bonds
for support of
Normal Univer-
sity.

§ 3. That the city council are hereby authorized to levy and collect a special tax, not exceeding one per cent. per annum, on the real and personal property of said city of Centralia, to provide for the payment of bonds issued under the provisions of this act.

Special taxes.

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

APPROVED April 19, 1869.

CITIES—STREETS AND ALLEYS.

AN ACT to vacate certain blocks in Hoxsey and Edwards' addition to the town (now city) of Carlinville, on the south.

In force March
30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That blocks number twenty-one, (21,) twenty-two, (22,) twenty-three (23) and twenty-four, (24,) in Hoxsey and Edwards' addition to the town (now city) of Carlinville, on the south, be

Vacate streets.

and they are hereby vacated, and the land on which the streets and alleys are laid out between said blocks, and on the east and the west sides and south end thereof, shall inure to the owner or owners of said blocks, half and half, and on the south end the whole thereof.

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

APPROVED March 30, 1869.

In force April 1, 1869. AN ACT to remove certain out-lots therein mentioned from within the jurisdiction of the town (now city) of Chester, in Randolph county, and to vacate parts of certain alleys therein mentioned.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That out-lots in Opdyke's addition to said city of Chester, numbered from sixteen to thirty-three, both inclusive, and from one hundred and forty-seven (147) to one hundred and fifty-three, (153,) both inclusive, be and they are hereby excluded from within the jurisdiction of the said city of Chester, in Randolph county, and, from and after the passage of this act, shall not in any way be subject to the control or jurisdiction of said city of Chester, in any manner or for any purpose whatever.

Alleys vacated. § 2. So much of [the] alleys of said town of Chester as are between the said out-lots mentioned in [the] first section of this act, be and the same are hereby vacated.

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

APPROVED April 1, 1869.

In force March 30, 1869. AN ACT to vacate certain lots, streets and alleys therein named, and for other purposes.

Blocks vacated. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That blocks numbered 2, 19 and 22, and the streets and alleys within and between the same, and lots numbered 1 to 12, and 20 to 32, both inclusive, in block numbered 4 and block numbered 17, and the streets and alleys within and between the same, and blocks 6, 7, 14, 15, 26 and 27, and the streets and alleys within and between the same, and all that part of Fourth street lying between Christy avenue and the de-

pot grounds of the Chicago and Alton Railroad Company, all in the Ferry Division of East St. Louis, in St. Clair county, shall be and the same are hereby vacated for depot and other purposes, for the respective railroad and railway companies owning said lots and blocks: *Provided*, that this vacation shall not affect the rights of other owners (if any) of lots in said blocks, or either of them, to the streets or alleys bordering on such lots, respectively: *Provided*, that no street or alley, lot or block, shall be deemed vacated under this act, until the city council of the city of East St. Louis shall pass an ordinance consenting to such vacation, in whole or part.

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

APPROVED March 30, 1869.

AN ACT to vacate certain alleys in the city of Kankakee.

In force March
29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the alley running through block number fifty-one, (51,) in the town of Kankakee City, and also the alley running along the north side of lot seven, (7,) in block number twenty-seven, in said town, be and the same are hereby vacated.

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

APPROVED March 29, 1869.

AN ACT to vacate a certain alley therein named.

In force March
25, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the alley running north and south from River street south through block number fifty-two (52), of the original plat of the city of Kankakee, in the county of Kankakee, state of Illinois, be and the same is hereby declared vacated.

§ 2. This act is hereby declared to be a public act.

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

APPROVED March 25, 1869.

In force March 15, 1869. AN ACT to vacate a portion of a street in Shelbyville, Shelby county.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That so much of Charles street as lies south of Buck street, and between blocks thirty-six and thirty-seven, of Crane & Stevens' addition to Shelbyville, in Shelby county, be and the same is hereby vacated and discontinued.

§ 2. 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 15, 1869.

In force March 10, 1869. AN ACT to vacate certain streets and alleys in the seminary addition to the city of Urbana.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That so much of East Stoughton and East White streets as lay between Wright street and Romine street, in the seminary addition to the city of Urbana, together with the alleys running through blocks fifty-two (52) and fifty-three (53) of said addition, and the alleys running between lots twenty-seven (27) and twenty eight (28), in James S. Busey's addition to Urbana, be and the same are hereby declared vacated; and the title to the streets and alleys so vacated, vested in the owners of the contiguous lots.

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

APPROVED March 10, 1869.

COUNTIES—ASSESSMENTS.

In force March 11, 1869. AN ACT in relation to assessments and assessors in certain towns in Cook county.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That when the assessors of the towns of North, West and South Chicago, in Cook county, shall, in each year, have completed the assessment of the property in said towns, they shall, re-

Notice of completion of assessment lists.

spectively, give notice, by three days' publication in one of the daily papers of the city of Chicago, that the same is completed and will be open at some public place, to be named in said notice, for inspection, correction and revision, for ten days from the first publication of said notice. The present town assessors of said towns shall remain in office until November, 1870, and shall, thereafter, be elected biennially.

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

APPROVED March 11, 1869.

COUNTIES—OBLIGATIONS.

AN ACT to enable the county of Adams to provide for and purchase or condemn grounds for, and erect a new court-house and jail, and for other purposes. In force June 19, 1869.

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 Adams and state of Illinois is hereby authorized to erect a new court house and jail for said county, to be located in the city of Quincy, and to acquire, as hereinafter provided, grounds whereon to erect the same, not exceeding in extent ten acres—the cost of said court-house, jail and grounds for the same not to exceed the sum of four hundred thousand dollars. New court house

§ 2. For the purpose of raising money to defray, in whole or in part, the expense of constructing said court-house and jail and acquiring grounds for the site or sites thereof, the said board of supervisors is hereby authorized, from time to time, to issue bonds of said county in such form and for such amounts, bearing such interest and payable at such times and places as said board may determine, and dispose of the same in payment of the expenses of the erection of said court-house and jail, and of the acquisition of grounds therefor, or to negotiate and dispose of the same to raise money for said purposes; and said bonds may, if deemed advisable by said board of supervisors, be issued under the provisions of an act of the general assembly of this state, entitled "An act relating to county and city debts, and to provide for the payment thereof, by taxation, in such counties and cities," approved February 13th, 1865. Issue bonds.

§ 3. Said board of supervisors is hereby authorized to levy and collect on all the taxable property within said Levy and collect taxes.

county, including the city of Quincy, a special annual tax sufficient to provide for the regular payment of the principal and interest of said bonds as fast as the same become due and payable—such tax, however, not to exceed five mills on the dollar of such taxable property in any one year; and said board shall also be authorized to levy a special tax upon the taxable property aforesaid, annually, not to exceed five mills on the dollar of such taxable property in any one year, and to apply the proceeds of such last mentioned tax directly towards the payment of such expenses of constructing such court-house and jail and of the acquisition of grounds therefor, as are not defrayed by means of the issue of bonds hereinbefore authorized, or out of other funds applicable to the purpose aforesaid: *Provided, however*, the said board of supervisors shall in no event have any power or right under the provisions of this act to levy a tax for, or expend any more in the purchase of the necessary grounds and construction of said court-house and jail than the said sum of four hundred thousand dollars, and any interest that may accrue thereon, including the proceeds of any money arising from the sale of the old court-house and jail and the ground on which they are situated, which shall be sold for that purpose.

Levy special tax

§ 4. All special taxes raised for the purposes specified in this act shall be separately entered upon the tax books of said county, and shall be kept as special taxes, to be used only for the specific purposes for which the same, respectively, shall be levied, and the clerk of the board of supervisors of said county shall, annually, in making the general abstract of taxes to be furnished the county treasurer, specially set forth the amount of special taxes so levied in any one year, and the specific amount belonging to each, whether for the acquisition of grounds and erecting a court-house and jail, or for payment of principal and interest of bonds which may be issued under this act; which special taxes shall be entered in a book kept for that purpose, by the county treasurer of said county, and shall be paid out only on orders properly drawn, and specially stating the particular fund upon which the same are drawn.

Acquire land
by donation or
condemnation.

§ 5. The said board of supervisors shall have power to acquire by donation, purchase or condemnation, for the site or sites on which to erect said court-house and jail, any tract or tracts of land, whatever, not exceeding ten acres, in the city of Quincy, by whatsoever person or persons, or corporation or corporations, municipal or private, the title to the same may be held, and to whatsoever use or uses, public or private, the same may be appropriated or dedicated; and any property in said city, the title whereof is in the county of Adams, may be appropriated for the site or sites of such court-house and jail, without compensation, excepting and reserving from the operation of this act, the

block of ground known as "Washington Square," and now used as a public park; and, also, excepting the block of ground known as "Jefferson Square," and now occupied by the board of education, for school purposes; which last exception is not to take effect or be of any force whatever, unless the said Jefferson Square shall be, previous to any proceedings under this act to appropriate the same, dedicated by the owners thereof to the inhabitants of the city of Quincy, to be held and used by them, exclusively, as a public park.

§ 6. If said board of supervisors shall desire to take, for the purpose aforesaid, any real estate, the title whereof is in the city of Quincy, the said board of supervisors may purchase the same of said city, or cause the same to be condemned, as hereinafter provided, and the compensation therefor shall be paid to said city of Quincy, and said city shall have power to convey the same to said board of supervisors. May purchase site of city.

§ 7. If the said board of supervisors shall desire to take, for the purposes aforesaid, any real estate, the title whereof is in the board of education of the city of Quincy, the said board of supervisors may purchase the same from the said board of education, or cause the same to be condemned, as hereinafter provided, and said board of education shall have full power to convey any ground now owned and controlled by them, to which they hold the title, to said board of supervisors, and, in either case, the compensation therefor shall be paid to the board of education; which said board of education shall hold the same as a part of the school fund of said city, and shall apply the same to the erection of school houses and the purchase of sites therefor; to the payment of the indebtedness of said board of education, or the maintenance and support of the public schools of said city; and until the same shall be needed for such purposes as aforesaid, shall loan the same upon good real estate security, at any rate of interest of not less than eight per cent. per annum; and said board of education shall have power to sell and convey to said board of supervisors, for the purposes mentioned in this act, any real estate, not exceeding, in the aggregate, ten acres, the title whereof is in the said board of education. May purchase of board of education.

§ 8. Proceedings for the condemnation of land for the site or sites, for said court house and jail, may be taken by and in the name of said board of supervisors under the provisions of chapter ninety-two, of the Revised Statutes of the state of Illinois, for 1845, or under the provisions of the act of the general assembly of this state, entitled "An act to amend the law condemning right of way for purposes of internal improvement," approved June 22, 1852. Condemn land.

§ 9. If several persons or corporations, municipal or private, have conflicting claims to the whole or any part of the Conflicting claims to property.

Designation of
them in petition

property to be condemned for the site of said court house and jail, or either said court house or jail, said board of supervisors may, if it elects so do, in its petition for the condemnation of the property so in dispute, make all the claimants thereto parties to such petition, designating them in the petition and other proceedings as claimants of such property; and the entire compensation and damages to be paid by the board of supervisors, for such property in dispute, shall be assessed in one sum and shall be paid by said board of supervisors into the treasury of this state within sixty days after the amount thereof shall have been finally determined by report of commissioners, duly filed and not appealed from, or by judgment of the circuit court not appealed from, or by judgment of the supreme court; and upon the payment of such compensation and damages into the state treasury, as aforesaid (of which the certificate of the treasurer of this state shall be legal and sufficient evidence), the title to such property shall become vested in the said board of supervisors; and in assessing compensation and damages under this section of this act, the amount assessed shall be the highest to which any of the claimants would be entitled, if the undisputed owner of the same.

Compensation.

§ 10. When the compensation and damages shall have been paid into the state treasury, as hereinbefore provided, any of the claimants who shall have been parties to the proceedings for condemnation, on which such compensation and damages were assessed, may file his bill in chancery in the circuit court of Adams county, making the state treasurer and the other claimants parties to such bill, and setting up his claim to such compensation and damages, and in such suit the rights of the several parties shall be determined, and the court shall by decree direct the said treasurer to which of said parties, and in what proportions, the said compensation and damages shall be paid; and the said treasurer shall pay out or distribute the same in the manner prescribed by the decree in such suit in chancery, as aforesaid. Any issue of fact arising between any of the parties which, by the constitution of this state, ought to be tried by jury, shall be so tried, if demanded by any party to such issue. No writ of error shall be taken to any decree rendered in such suit, but an appeal therefrom may be taken as now prescribed by law: *Provided*, the appeal bond shall be filed within thirty days from the rendition of the decree appealed from.

Present court
house and jail
may be sold.

§ 11. Said board of supervisors is hereby authorized to sell and convey, whenever in its discretion it shall think proper so to do, the present court house and jail of said county, and the grounds on which the same are located, and to apply the proceeds thereof to the expenses of building said new court house and jail, and of acquiring grounds therefor, or to the payment of bonds issued or indebtedness

contracted for the same, or of interest on such bonds or indebtedness: *Provided*, possession of such present court house and jail and the site thereof shall be retained by said board until the new court house and jail are ready to be used.

§ 12. The city of Quincy shall be represented in the board of supervisors of Adams county by two members from each of the wards of said city, in all matters pertaining to the purchase of grounds for and the erecting of a court house and jail, and levying taxes for the same, and also for levying taxes to defray the expense of maintaining the county and the circuit courts of said county, and furnishing records and blanks for all county offices, and the necessary repairs in and about the court house and jail, and also for levying special taxes for paying the interest on bonds, and also the principal of such bonds as may be issued by virtue of this act; which taxes herein enumerated shall be the only things for which the city of Quincy shall be taxed in relation to any matter pertaining to the county of Adams. The county of Adams shall maintain and support all paupers, streets and highways outside of the city of Quincy, in said county; and the city of Quincy shall maintain and support her own paupers and streets each in the same manner as they now do under the present laws regulating the same.

Board of supervisors.

§ 13. The city of Quincy shall annually, at the charter election, on the third Monday in April, elect from each ward in said city two supervisors, who shall hold their office for one year and until their successors are duly elected; which supervisors so elected shall represent the city of Quincy in the board of supervisors of Adams county in all matters specified in this act: *Provided*, that the present aldermen of the different wards in said city shall be, *ex officio*, supervisors in said board until the annual charter election of said city in April, 1869.

Election of board.

§ 14. The board of supervisors of said Adams county shall, at the annual meeting in September, in each year, make an estimate of the amount required for the current year for each specific purpose set forth in this act, which amounts shall be levied upon all the property in said county, including said city of Quincy, by a uniform rate per cent. Said taxes, when collected, shall be paid into the county treasury and kept separate and distinct, and be paid out only as hereinbefore provided.

Shall estimate amount required of needful funds

§ 15. At said city elections there shall be elected an assessor and collector for said city, who shall have the power to perform the duties and be subject to the obligations of town collectors and assessors. Said assessor and collector shall be assessor and collector of state and county taxes in said city, the same as in the towns of said county; and all laws applying to such offices in such towns, as also county clerks, relating to state and county taxes, shall apply to

Assessor and collector.

this act; and for collecting the special county taxes, provided for in this act, there shall be paid a commission of one per cent only.

Committee of citizens to select site.

§ 16. The board of supervisors of Adams county, in the matter of selecting a site or sites on which to erect a court house and jail, and other matters pertaining thereto, shall appoint a committee of seven citizens of said county, four of whom shall reside outside of the city of Quincy, and three within said city, which committee, when appointed, shall possess such powers only as may be delegated to them by said board of supervisors, and be subject at all times to such rules and regulations as may be specified by the board of supervisors, from time to time, and receive such compensation as said board of supervisors may deem advisable to allow.

Judges of elections.

Appointment of.

§ 17. In all matters pertaining to state and county elections in the city of Quincy, the city council of said city shall appoint all judges of elections, and furnish suitable places for holding elections, and control all matters pertaining thereto in the same manner as city elections: *Provided*, that returns of state and county elections in said city shall be made to the county clerk in the manner as now provided by the general laws of this state. The city council shall fix the amount to be paid judges and clerks of election within said city, and audit and pay the bills for the same.

Conflicting acts repealed.

§ 18. This act shall repeal all laws inconsistent herewith, and the taxation provided for in said city of Quincy, under the provisions of this act, shall be and the same are hereby deemed and held to be in lieu of any payment of money by said city to said county heretofore provided by law.

Act to be submitted to vote.

§ 19. This act shall be submitted to a vote of the qualified voters of the county of Adams, including said city of Quincy, at an election special so far as the same relates to said city, to be held on the first Tuesday in the month of April next, and, if a majority of the votes in said county, including said city, cast at said election, shall be in favor of this act, then the same shall immediately become a public act, and be in full force and effect; but if a majority of the votes cast at said election shall be against said act, then the same shall be null and void. The votes cast at said election shall have written or printed thereon, "For new court house and jail," or "Against new court house and jail;" and under the election provided for herein the registry of the legal voters of said county and city, used at the last preceding election, shall, as far as practicable, be used at the election herein provided for in place of making a new registry of voters, as now required by law. The clerk of said city shall give such notice of this election as is now required in cases of election for city officers, and the clerk of said county shall also give such notice of the said election as is now required to be given in

cases of elections for county officers, and they shall each of them also cause publication thereof and of this act, in full, to be made at least twenty days before said election in the "Quincy Herald" and "Quincy Whig" and "Quincy Tribune," newspapers published in said city of Quincy. Said elections shall [be] in other respects, as near as can be, held and conducted and the vote canvassed and returns thereof made in the same manner as is now provided by law for general elections.

APPROVED February 20, 1869.

AN ACT to facilitate drainage in Bureau county.

force March
26, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the board of supervisors of Bureau county may channel Green river, for the purpose of draining the swamp and overflowed lands adjacent to said river, in said county; and they may borrow money for the purpose of channeling said river: *Provided*, they shall not borrow an amount of money, for said purpose, exceeding the estimated value of the lands belonging to said county.

Change course
of river.

§ 2. The board of supervisors may appoint three citizens of Bureau county, commissioners to assess the benefits done to any lands by the channeling of Green river, said commissioners to be the judges as to what lands are benefited, and the amount of the benefit. Said assessment shall be certified and sworn to by said commissioners, before some officer in said county who is authorized to administer oaths, and returned in writing, so certified and sworn to, one copy to the drainage commissioners of said county, and one copy to the county clerk of said county; said copies shall be filed and preserved by said officers in their respective offices. Said assessments shall be a lien upon the lands assessed, from and after the time they are returned to the drainage commissioners and county clerk, until they are paid. Said commissioners shall take an oath to faithfully and impartially discharge their duties, before they enter upon their office.

Commissioners
assess benefits.

§ 3. The board of supervisors of said county shall have power to direct how any and all moneys assessed under this act shall be collected, and also power to carry into full force and effect any and all of the provisions of this act.

Collection of
assessments.

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

APPROVED March 26, 1869.

I force Marc 25, 1869. AN ACT to authorize the board of supervisors of Christian county to borrow money and issue bonds for certain purposes therein named.

Issue bonds for fire-proof vault. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of supervisors of Christian county, state of Illinois, be and they are hereby authorized to borrow money and issue bonds of said county, in the aggregate sum not exceeding fifteen thousand dollars (\$15,000), for the purpose of building a fire proof vault to protect the records of said county, and to purchase land for a poor farm, in said county.

Amount. § 2. The number and size of said bonds, and the time and place of the payment thereof, and the form and manner of issuing the same, to be determined by the board of supervisors of said county: *Provided*, said bonds shall not not bear interest at a greater rate than ten per cent. per annum.

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

APPROVED March 25, 1869.

In force March 29, 1869. AN ACT to enable the county of Clark to fund certain indebtedness.

Indebtedness. 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 Clark be and they hereby are authorized and empowered, in their discretion, to fund the indebtedness of the county of Clark, for bounties to persons who volunteered and were enlisted into the military service of the United States, and credited to the several towns of said county, and who are entitled lawfully to bounty of four hundred dollars each, under the provisions of an act entitled "An act to authorize the levy and collection of taxes in the counties of Jasper, Cumberland, Crawford and Clark, for the payment of bounties to persons who enlist and are mustered into the military service of the United States," approved February 7, 1865, and of certain resolutions of said board of supervisors, within the authority of said act, offering a bounty of four hundred dollars, etc., upon the terms hereinafter set forth.

Issue bonds. § 2. In the event that the said board of supervisors shall determine to fund said indebtedness, it shall be lawful for them, at any of their regular or special sessions or terms, to cause to be issued county bonds or orders, for the amount thereof, payable at any time, in the option of the

board of supervisors, within ten years, and bearing such rate of interest as they shall prescribe, not less than six nor more than ten per cent. per annum, payable annually. Said bonds or orders may be of any denomination or size desired by the person or persons to whom they shall be issued, and they shall be issued and delivered to the person or persons respectively, their agents or assigns, who shall, at the time of their issue, be lawfully entitled to receive the said bounty of four hundred dollars. Said bonds or orders shall be countersigned by the county treasurer, and by him delivered and paid over to such persons as shall be entitled to receive the same.

§ 3. In all cases where persons who were entitled to such bounty have received county orders therefor, they shall surrender the same to the treasurer of Clark county, and he shall cancel and destroy the same before such person shall be entitled to receive any bonds or orders under the provisions of this act. Bonds canceled.

§ 4. The said board of supervisors shall also cause like bonds or orders to be issued and delivered to all persons who have paid county taxes, levied by virtue of the resolutions of said board of supervisors, adopted on the 15th day of March, A. D. 1865, for the amount of such taxes paid by them respectively. Powers of the supervisors.

§ 5. The county treasurer of Clark county shall keep a true and perfect registry of all orders paid out by him under the provisions of this act, and also of all outstanding bounty orders, which shall be returned to him to be canceled, and he shall report the same to the board of supervisors, from time to time, and as often as they shall require. Duties of the county treasurer

§ 6. After the said board of supervisors shall determine to fund said indebtedness, they shall annually assess and cause to be collected a tax upon all the taxable property, real and personal, in Clark county, sufficient to pay the interest accruing on said bonds or orders; and they may, also, at the same time, assess and cause to be collected, such additional sum as they may deem expedient for the payment of the principal of said bonds or orders. Said tax shall, in all respects, be levied and collected in the same manner, at the same time and by the same officers as other county taxes, and when collected, it shall be set apart and kept as a fund exclusively for the payment of the principal and interest of said bonds or orders. Levy and collect taxes.

§ 7. The county treasurer and collector and the several town collectors of the county of Clark, in giving their official bonds, shall be required to give the same for a sum sufficiently large to cover, in addition to the other revenue which may come into their hands, all moneys which may come into their hands under the provisions of this act, and they shall be liable to be prosecuted upon such bonds, for any delinquency in collecting or paying over said tax. Officers to give bonds.

Fees of office.

§ 8. The same fees shall be allowed to the several officers, for extending, collecting and paying out such tax, as is allowed by law in other cases, for like services.

Signify intention of funding debt.

§ 9. The board of supervisors of the county of Clark shall, within nine months from the passage of this act, signify their intention to fund said debt by a resolution to that effect, to be adopted by them and spread upon their records; and in default thereof, from and after the expiration of the said nine months, this act and the several provisions thereof shall cease to be of any force or effect whatever.

§ 10. 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 29, 1869.

In force March 25, 1869.

AN ACT to authorize the board of supervisors of Cook county to issue bonds to aid said county in the erection of public buildings.

Issue bonds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of supervisors of Cook county be and are hereby authorized to issue bonds to an amount not exceeding two hundred and fifty thousand dollars, to aid said county in the erection of public buildings.

Time of payment, etc.

§ 2. Said bonds shall be of such denomination and shall be payable at such times and places as said board of supervisors may deem expedient, and shall bear interest at the rate of seven per cent. per annum, payable semi-annually.

Signature.

§ 3. Said bonds shall be signed by the chairman of the board of supervisors and the clerk of the county court, and countersigned by the treasurer of said county.

Portion of reserved for grading roads.

§ 4. *And be it further enacted,* that the board of supervisors of said county be and are hereby authorized to take the necessary amount, not exceeding fifteen thousand dollars, out of said bonds, to defray the expense of improving, by graveling or macadamizing, the road leading from the northwestern plank road, on the south line of sections sixteen and seventeen, township forty, range thirteen, east of the third principal meridian, to the Cook county poor house, in the town of Jefferson, in said county, said road being known as the west branch of the northwestern plank road.

Compensation of treasurer.

§ 5. And the county treasurer of Cook county shall perform all the services required of him by this act, and shall receive, as full compensation for such services and in receiving and disbursing the funds, a commission of one quarter of one per cent., and no more; and for every service which may be rendered under this act, he and his securities

shall be liable for a proper discharge of the same, as now provided by law in regard to the duties of said treasurer.

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

APPROVED March 25, 1869.

AN ACT to amend an act entitled "An act to authorize the county court of Franklin county to issue county bonds." In force March 29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one of the act entitled "An act to authorize the county court of Franklin county to issue county bonds," approved January 13, 1863, be and the same is hereby amended so as to read "sixty thousand dollars," instead of "twenty thousand dollars;" said bonds to be issued by the county court of Franklin county, Illinois, for the same purposes and at the same rate of interest as specified in said act. Issue bonds.

§ 2. That the act entitled "An act to authorize the county court of Franklin county, Illinois, to issue county bonds," approved February 10, 1863, be and the same is hereby repealed. Act repealed.

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

APPROVED March 29, 1869.

AN ACT to authorize Iroquois county to issue bonds and to provide for the payment of the principal and interest thereon. In force March 24, 1869.

WHEREAS, by the action of the board of supervisors of Iroquois county, at various times since the year A. D. 1861, certain county orders or certificates were issued for the purpose of paying military bounties, and the same, with the interest thereon, will within the next two years become due and payable; therefore Preamble.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of supervisors of Iroquois county may issue bonds of said county, from time to time, as they may be required, not exceeding the sum of fifty thousand dollars in the aggregate, to bear interest not exceeding the rate of ten per cent. per annum, the principal and interest payable at such time or times and at such place or places as the said board shall fix, and shall authorize the said bonds to be sold at a rate of Issue bonds.

not less than ninety cents on the dollar, and in such manner as said board may direct, and the proceeds thereof shall be paid into the county treasury, and shall be applied to the payment of said military bounty orders, together with the interest thereon.

How executed.

§ 2. The said bonds shall be signed by the chairman of said board, and by the clerk of the county court of said county, and shall be sealed with the seal of said court, and countersigned and registered by the treasurer of said county, and said bonds shall be regularly numbered, and be in denominations of not less than five hundred dollars nor more than one thousand each, and may or may not, as said board shall direct, have interest coupons attached; but in case that interest coupons be attached, each of said coupons shall be signed, countersigned, registered and numbered in the same manner as said bonds.

Levy and collect tax.

§ 3. The said board of supervisors are hereby directed and required to levy a tax, from time to time, as they shall be required, for the prompt payment of the principal and interest upon said bonds, as the same shall become due and payable, which said tax shall be collected as other county taxes, and the same, when collected, shall be set apart and applied to the principal and interest of said bonds, as aforesaid.

Duties of the treasurer.

§ 4. The county treasurer shall, immediately after the proceeds of the sale of said bonds are paid into the treasury, give notice in some newspaper published in the city [of] Chicago, in this state, and also in some newspaper published in said Iroquois county, that he is prepared to pay said military bounty orders or certificates, together with the interest accrued thereon; and the interest on all of said military bounty orders, which may not be presented for payment within sixty days thereafter, shall cease. Upon all moneys paid into the treasury from the proceeds of the sale of said bonds, or from taxation to pay the principal and interest upon said bonds, the treasurer of said county shall be entitled to receive a commission of one-half of one per cent., and a like commission of one-half of one per cent. for paying out the same, and no more.

Compensation for neglecting bonds.

§ 5. Said board of supervisors may allow such reasonable compensation for negotiating said bonds as to said board may seem just.

Secretary state to give notice.

§ 6. Immediately upon the passage of this act, the secretary of state shall transmit a certified copy thereof to the clerk of the county court of said Iroquois county.

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

APPROVED March 24, 1869.

AN ACT to enable Jefferson county to build a court house and jail. In force March 4, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county court of Jefferson county, and state of Illinois, are [is] hereby authorized and vested with full power and authority to issue, not exceeding one hundred thousand dollars, in county bonds, bearing interest at such per cent. per annum, and payable in such time as the said county court may deem proper, for the purpose of enabling the said county court to construct a court house and jail in said county. Issue bonds.

§ 2. The said county court, upon the issuing of said bonds, are hereby authorized and required to cause to be levied and collected a special tax sufficient to pay the interest accruing, either semi-annually or annually, on said bonds, and also to provide for the payment of the principal of said bonds on or before the maturity of the same, as said county may contract or deem expedient. Special tax.

§ 3. The said county court are hereby authorized and vested with full power and authority to purchase and hold all such real estate as may be necessary to construct said court house and jail upon; and also to make and execute all such contracts as may be necessary to carry out the provisions and true intent of this act. Construction of new court house

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

APPROVED March 4, 1869.

AN ACT to authorize the board of supervisors of Macon county to purchase grounds therein described, and to release the same. In force March 2, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of supervisors of Macon county be and the same are hereby authorized to purchase, of the Macon County Agricultural Society, the land now owned and used by said society as a fair ground; and that said board are hereby authorized to lease the said grounds to said agricultural society, for such time and upon such terms as said board may determine. Purchase fair grounds.

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

APPROVED March 2, 1869.

In force March 9, 1869. AN ACT to legalize certain acts of the county court of Macoupin county, and to enable it to complete a court house in said county.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all bonds or other evidences of indebtedness heretofore issued, in good faith, by the county court of Macoupin county, to raise money or discharge contracts, in reference to the building of the court house in said county, are hereby legalized; and said county court is hereby authorized to borrow money and issue bonds therefor—bearing not exceeding ten per cent., principal and interest payable at such time and place as may be indicated in said bonds—to raise whatever sum may be necessary to complete said court house and improvements connected therewith.

Issue of bonds egalized. § 2. It shall be the duty of the county court, or other proper authorities of said county, to levy a sufficient tax, from year to year, not exceeding one per cent. in addition to the taxes now authorized by law, to pay the interest on said bonds and other evidences of indebtedness heretofore issued or hereafter to be issued, in good faith, and the principal when due.

Levy tax to pay interest.

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

APPROVED March 9, 1859.

In force March 31, 1869. AN ACT to authorize the county court of Marion county to issue bonds and levy tax for the purpose of building a jail in said county.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county court of Marion county are [is] hereby authorized and empowered to issue county bonds, of not less than fifty nor more than one hundred thousand dollars each, with interest coupons thereto attached, and not to exceed in the aggregate the sum of fifty thousand dollars. Said bonds shall be made payable in not less than one nor more than five years from the time they are issued, bearing an annual interest not to exceed two per cent. Said bonds shall not be sold below the par value thereof, and shall always be receivable for taxes and other dues to said county of Marion. Said bonds shall be sealed and signed by the judge of the county court, and countersigned by the clerk of said court; and the interest of the said bonds shall be paid punctually, each and every year, in the town of Saline, in said county, to the owners thereof.

Issue bonds.

§ 2. The faith and credit of the county of Marion, together with all the property of said county, are hereby pledged and made accountable for the payment of said bonds and interest; and said county court of Marion county are [is] hereby authorized to levy and collect a special tax on all taxable property of said county—[the] same to be levied and collected as other taxes for county purposes—for the purpose of paying the interest, annually, on said bonds, and the principal of said bonds as they may fall due. Lever special tax

§ 3. The county court of Marion county are [is] hereby authorized and empowered to purchase suitable grounds, and to erect and build thereon a suitable jail, in the town of Saline, in said county, for the said county of Marion; and the amount of money necessary to purchase grounds and erect said jail shall be paid out of the proceeds of the sale of said lands. Purchase site to erect jail.

§ 4. The question of issuing said bonds shall be submitted to a vote of the legal voters of Marion county, on the first Tuesday after the first Monday of November, A. D. 1869, and the tickets then voted shall be either "For the loan" or "Against the loan." If a majority of the votes cast be for the loan, then the county court shall proceed to carry out the provisions of this act; and if a majority of the votes cast be against the loan, then this act shall be null and void, and nothing shall be done towards carrying out the provisions of this act until after the election mentioned in this act. Issue of bonds.
Submitted to legal voters.

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

APPROVED March 31, 1869.

AN ACT to authorize the board of supervisors of McHenry county to purchase lands, and erect buildings thereon for the support of paupers, and to repeal an act therein named. In force when adopted by legal voters.

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 board of supervisors of McHenry county, from time to time, to raise by tax on the taxable property of said county, as much money as may be deemed necessary to purchase a farm, and to make improvements and erect buildings thereon, suitable for the support and maintenance of the paupers of said county, and also for the purchase of teams, farming implements, furniture, and whatever else said board may deem necessary for successfully carrying on said farm, for the uses and purposes herein May purchase poor farm.

specified or designed: *Provided*, that said tax shall not exceed five mills on the dollar, for any one year.

Agents to conduct farm.

§ 2. Said board of supervisors are hereby authorized to employ such agents and other persons as may be necessary to establish, put in operation and carry on such farm or poor house.

Title to vest in supervisors.

§ 3. The title to the property authorized to be acquired by this act, shall be made to the board of supervisors of McHenry county and their successors in office, and shall, together with all the personal property necessary for successfully carrying on the business of said premises, be held for the use of said county, free and exempt from all taxes for any purpose whatever.

Completion of poor house, to make record of.

§ 4. Whenever the board of supervisors shall have completed the poor house here contemplated, and shall have such fact entered upon its records, and that said house is ready for the reception of the poor of the county, then the act entitled "An act to provide for the support of paupers in Bureau and McHenry counties," approved February 10th, 1853, so far as the same applies to the county of McHenry, shall be repealed and no longer in force in said McHenry county; and all laws which were thereby repealed, and all general and public laws since passed, which do not conflict with this act, shall take effect and be in force as fully and completely in McHenry county, as if said act of February 10, 1853, had never passed.

Act repealed.

Submitted to legal voters.

§ 5. On the Tuesday after the first Monday in November, next after the passage of this act, the legal voters of said county of McHenry shall vote at their several places of holding election, with written or printed ballots, or both, on which shall be written or printed "For poor law" or "Against poor law." The voting, canvassing of votes and making returns thereof, shall be conducted in all respects in accordance with the general election laws of this state for county officers. If, on counting or canvassing said votes, it shall appear that a majority of all the votes cast at said election were "For poor law," then this act shall take effect and be in full force. But if it shall appear that a majority of said votes were "Against poor law," then this act shall be of no force or effect whatever.

§ 6. This act shall be a public act, and recognized in all courts without special pleading; and shall take effect and be in force from and after its ratification as aforesaid.

APPROVED March 29, 1869.

AN ACT to amend an act entitled "An act authorizing the county of McLean to issue bonds for the purpose of building a court house," approved February, 18, 1867. In force Feb. 11, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That an act entitled "An act authorizing the county of McLean to issue bonds for the purpose of building a court house," approved February 18, 1867, be and the same is hereby amended as follows: "That for the purpose of erecting a suitable court-house, jail and other county buildings in and for the county of McLean, the board of supervisors of said county are hereby authorized to levy a special tax of five mills on the dollar, or so much thereof as shall be necessary for said purposes, for the term of ten years, upon all the taxable property of said county, to be levied and collected as other county taxes are levied and collected." Levy taxes.
Public buildings

§ 2. Said board of supervisors are hereby further authorized to issue bonds for said purposes, for a sum not to exceed five hundred thousand dollars, in sums not less than five hundred dollars, payable out of the revenue arising from said special tax, with interest at a rate not to exceed ten per cent. per annum: *Provided*, that no fees or percentages on said bonds or on the moneys arising from the sale or disposition of the same, shall be paid to or retained by any officer of said county, or any other person, for issuing or negotiating said bonds, or for receiving, holding or disbursing the moneys arising therefrom, except such as shall be fixed by the board of supervisors of said county of McLean. Issue bonds.

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

APPROVED February 11, 1869.

AN ACT to continue in force the act of the 25th February, 1867, entitled "An act to authorize the county court of Montgomery county to increase the county revenue." In force June 19, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the act entitled "An act to authorize the county court of Montgomery county to increase the county revenue," approved February 25, 1867, be and the same is hereby continued in full force and effect till the last day of July, A. D. 1871, and the levy of said 80 cents on the hundred dollars, or 8 mills on Act continued.

the dollar may be on the equalized value of the taxable property, real and personal, assessed in said county for the years 1869 and 1870.

APPROVED March 2, 1869.

In force March
31, 1869.

AN ACT in relation to the poor in Ogle 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 the said county of Ogle have the power, and they are hereby authorized to purchase a farm for the benefit of the poor of said county, and to keep the same in necessary repair, and make such improvements and additions from time to time as may be required, at the expense of the county treasury; and the said board of supervisors shall, under such rules, regulations and contracts as they may deem necessary, provide that the said poor farm shall be open to the reception and use of such poor as the several town authorities of said county may offer.

Purchase poor
house farm.

Expense of
paupers.

§ 2. Each town in the said county, after said poor farm shall be ready for the reception of paupers, shall respectively pay the expenses of the support of the paupers residing in such town, out of the treasury thereof, in the same manner and form as other town expenses.

Revised Stat-
utes to apply.

§ 3. That the provisions of sections fourteen (14), fifteen (15) and sixteen (16), of the Revised Statutes, entitled "Paupers," shall apply and operate between the several townships of said county in the same manner as they do between the several counties of the state; and if any person shall become chargeable in any organized township in said county, who has not resided in said county a sufficient time to become legally a charge upon the said town, the overseer of the poor having such pauper in charge shall give notice thereof to the county clerk of the said county, whose duty it shall be to give notice thereof to the authorities of the proper county, as in other cases, and the expenses of taking care of such paupers, when received from such foreign county, shall be paid into the treasury of the proper township.

Provisions
amended.

§ 4. That the provisions of sections twelve (12) and thirteen (13) of chapter eighty (80), of the Revised Statutes are hereby so amended, in their application to and between the several organized townships of said county, as to require a residence of six months within the town, to entitle any person to become a charge upon the same.

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

APPROVED March 31, 1869.

AN ACT to authorize the board of supervisors of Peoria county to build an alms house and to issue bonds to pay for the same. In force: March 26, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of supervisors of Peoria county are hereby authorized and empowered to build an alms house in said county, for the use of said county, and that they be further authorized and empowered to issue the bonds of said county to the amount of sixty thousand dollars, to pay for the erection of said alms house. Erect an alms-house.

§ 2. That no bond issued by authority of this act shall be for a longer time than fifteen years, nor for a higher rate of interest than eight per cent., to be paid semi-annually at such time and place as the board of supervisors may direct. Bonds issued.

§ 3. Whenever the board of supervisors shall, by order or resolution, direct the issuing of bonds for the purpose heretofore mentioned, it shall be and is hereby made the duty of the chairman of the board of supervisors to sign said bonds—which bonds shall be countersigned by the county clerk, who shall attach thereto the county seal. Execute bonds.

§ 4. The board of supervisors may and they are hereby authorized to levy a special tax upon the personal and real property of said county, to be collected as now provided by law, not exceeding one mill upon the dollar in any one year, for the purpose of paying the principal and interest on the bonds issued under this act. Levy special tax

§ 5. All moneys arising from the sale of bonds issued under this act, together with any taxes that may be levied to pay either principal or interest accruing upon said bonds, shall be denominated the alms house fund and shall only be used for the payment of said bonds and the interest thereon. Alms-house funds.

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

APPROVED March 26, 1869.

AN ACT to authorize the county court of Perry county to issue bonds to build a poor house. In force March 27, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county court of Perry county are [is] hereby authorized to issue bonds, bearing no more than ten per cent. per annum interest, and payable within ten years of the date of their issue, to the amount of ten thousand dollars, (\$10,000,) the Issue bonds.

proceeds of which are to be applied in the erection of buildings, and making other improvements on the county poor farm of said county.

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

APPROVED March 27, 1869.

In force March 27, 1869. AN ACT authorizing the county court of Randolph county to issue bonds.

Issue bonds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county court of Randolph county, state of Illinois, be and the same is hereby authorized to issue bonds, to the amount of thirteen thousand dollars—said bonds to be for one hundred dollars each, payable in fifteen years from date, and bearing interest at the rate of ten per cent. per annum, payable in currency.

Sale of bonds.

§ 2. Said bonds shall not be sold for less than their face, and the proceeds shall be applied to the redeeming of interest-bearing orders.

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

APPROVED March 27, 1869.

In force March 30, 1869. AN ACT to authorize the board of supervisors of Stephenson county to appropriate money for the erection of a monument to the deceased soldiers of said county.

Appropriation for the soldiers' monument.

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 Stephenson be and they are hereby authorized and empowered to appropriate a sum of money, not exceeding ten thousand dollars, for the purpose of aiding and assisting the Stephenson County Soldiers' Monument Association in building and erecting a monument to the memory of the deceased soldiers of said county.

Tax.

§ 2. Said board of supervisors are hereby further authorized and empowered to levy a tax sufficient to meet such appropriation; which tax may be additional to the tax which said supervisors are now authorized to levy; and said board of supervisors may, in their discretion, levy the whole of said tax in one year, or distribute the same over several years.

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

APPROVED March 30, 1869.

AN ACT to authorize the board of supervisors of Stephenson county to In force March
levy a tax to build a court house. 4, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Court house tax board of supervisors of the county of Stephenson are authorized, at their annual meeting, by a majority vote of the full board, to levy a tax, not to exceed one per cent. per annum on the dollar, upon all taxable property in said county, for the purpose of building a court house.

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

APPROVED March 4, 1869.

AN ACT to authorize the county of Vermilion to issue bonds to build a In force Feb. 19,
court house in said county. 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Issue bonds for building court house. board of supervisors of Vermilion county be and is hereby authorized and empowered to issue bonds, for a sum not exceeding one hundred and twenty-five thousand dollars, in sums not less than one hundred dollars, payable not later than on or before the expiration of thirty years from the date of issue, as said board may determine, with interest at a rate not to exceed ten per cent. per annum, payable annually, for the purpose of building, or aiding in the building, of a court house in the city of Danville, county aforesaid.

§ 2. Said bonds shall be signed by the clerk of the board of supervisors, sealed with the seal of said county, and countersigned by the county treasurer, and, when issued, shall be binding on said county of Vermilion. Bonds, how executed.

§ 3. The clerk of said board of supervisors shall keep Record of bonds a record of the bonds issued, the numbers thereof, to whom payable, for what amount, when payable, for what rate of interest, when paid and when burned; and on the payment of each bond, or as soon thereafter as settlement may be made with the county treasurer, and the bonds be received from him as vouchers, the same shall be burned in the

presence of the board of supervisors; and the clerk of said board, and the chairman thereof, shall, under their hands, certify on said record the burning of said bonds, the numbers thereof, and the amounts, and the date of destruction.

Sale of bonds.

§ 4. Said bonds shall not be sold or disposed of for less than their par value; and said board of supervisors shall levy and cause to be collected, annually, a special tax on all real and personal estate situated in said county, not to exceed three mills on the dollar, to be collected in the same manner as other county taxes; and the taxes so collected shall be applied to the payment of the interest accruing on said bonds, and the excess (if any) shall constitute a sinking fund, to be applied from time to time in extinguishing the principal of said bonds, as said board may direct: *Provided*, that no taxes shall be levied or collected for the purpose of raising a sinking fund, as above provided, until after the issue of said bonds: *And, provided, further*, that said bonds, and no part thereof, shall be issued by the said board of supervisors, until a majority of said board of supervisors shall decide to build a court house in said city of Danville.

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

APPROVED February 19, 1869.

COUNTIES—ROADS AND BRIDGES.

In force March
27, 1869.

AN ACT to change and re-locate a part of a county road leading from the town of Cumberland to the town of Westfield, in Clark county, Illinois; also, to change and re locate a part of the state road leading from York, in Clark county, Illinois, to the town of Charleston, in Coles county, Illinois.

Change road.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the county road leading from the town of Cumberland to the town of Westfield be changed and re-located as follows: To commence on said county road fifty rods south of the center of the cross roads in the Round Grove, in section twenty-nine, (29,) township number eleven (11) north, of range fourteen west; thence in a north-east direction until it intersects the state road at a point fifty rods east of the center of the said Round Grove; thence in a north-west direction to a point on said county road fifty rods north of said center of said Round Grove.

§ 2. Also, to change and re-locate a part of the state road leading from the town of York, in Clark county, Illinois, to the town of Charleston, in Coles county, Illinois—said change to be made in the same section, township and range as in the first section of this act—said change and re-location to commence fifty rods east of said center of said Round Grove; thence in a north-west direction to a point on the above-named county road fifty rods north of said center of said Round Grove; thence in a south-west direction to a point on said state road fifty rods west of said center of said cross roads in Round Grove. Re-location of a state road.

§ 3. The commissioners of highways of Parker town-Survey, ship, Clark county, Illinois, shall immediately, or as soon as practicable after the passage of this act, procure a competent surveyor, and proceed to survey and re-locate said roads, as set forth in the preceding sections. The owners of the lands through which said roads will pass, when re-located, to incur and pay all expenses of re-locating said roads.

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

APPROVED March 27, 1869.

AN ACT to legalize public highways in Fayette county.

In force April 6, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That all* Survey legal.
roads or parts of roads which have heretofore been laid out as public highways by the commissioners of highways in the several townships in the county of Fayette, or which have been laid out by other competent and proper authority, are hereby declared legal roads; and it shall not be lawful for any persons to question, in any court, any of the proceedings by which such roads were laid out as public highways: *Provided*, such roads can be vacated, changed or altered hereafter, as is now or may be hereafter provided by law.

§ 2. This act shall only include such roads as have been worked upon or used as public highways. Application of this act.

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

APPROVED April 6, 1869.

In force March 30, 1869. AN ACT to amend an act entitled "An act to authorize the county court of Henderson county to levy a special tax for road and bridge purposes," approved June 13, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the powers therein granted to the county court, in the act referred to, be and the same are hereby extended for a period of three years more, in addition to the time therein specified.

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

APPROVED March 30, 1869.

In force April 15, 1869. AN ACT to repeal an act entitled "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," approved February 28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the act entitled "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," approved February 28th, 1867," be and hereby is repealed.

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

APPROVED April 15, 1869.

In force Feb. —, 1869. AN ACT to authorize the board of supervisors of Lawrence county, Illinois, to fix toll on east and north Embarrass bridges.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of supervisors of Lawrence county, Illinois, be and they are hereby authorized to collect tolls on the east and north Embarrass bridges, at Lawrenceville, in said county, from all persons not residents or citizens of said county, at such rates as in the opinion of said board may seem advisable.

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

APPROVED February, 1869.

AN ACT in relation to the state and county roads of Madison county. In force March 25, 1869.

WHEREAS, there are in the county of Madison, state and county roads which have never been surveyed, platted and recorded in the proper office, and others that have been so platted have been lost or destroyed, and the plats of other roads, by constant use and the defect of material used in their construction, have become torn, ragged and illegible; and, whereas, some of said plats have no courses or distances given or other means of identification, and it has become necessary to have said plats transcribed and put in proper shape, and plats made of roads where no plats now exist; and, whereas, the county court of said Madison county has, heretofore, employed Don Alonzo Spaulding (a competent surveyor) to re-survey said roads, ascertain where the same now are, as platted, used and traveled by the public and worked by the county authorities, and said Spaulding is now engaged in said work and in making accurate plats of the same, conforming as near as possible to the plats, and showing where said roads are actually located; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county court of said Madison county be and they are hereby authorized to complete the work so commenced by the said Spaulding and now carried on by him, either by employing said Spaulding or such other person or persons as they may deem competent for the purpose, and cause such plats to be bound in suitable books, to be by them provided; and when said work is completed, as contemplated herein, the said county court shall enter on their records, that they have examined said plats and have approved the same; and when such entry shall be made of record, it shall be presumed in all courts and places that the requirements of this act have been complied with, and the said plats, so made, under the direction of the county court aforesaid, shall be held and esteemed in all courts and places as *prima facie* evidence of the legal location of the roads represented thereon, at the time of the entry of said order of approval.

§ 2. Said plats shall be kept and preserved by the clerk of the county court, in his office, and whenever, thereafter, a change or re-location of a state or county road shall be made, or a new road established, as provided by law, said clerk shall cause said change, re-location or establishment of a new road to be carefully and accurately noted and drawn on said plats, and when done, the same to have the same force and effect as the original platting, and for which he shall receive such compensation as the county court may think right in each case.

§ 3. All payments made by said county court, out of the county treasury, for the work already performed, is

Preamble.

Compel completion of plats.

Duties of the county clerk.

Payments.

hereby approved and ratified, and the county court is hereby authorized to pay out of the county treasury such further sums as may be necessary, in their discretion, for the completion of said work.

§ 4. This act to be in force from and after its passage.
APPROVED March 25, 1869.

In force thirty days after publication. AN ACT entitled "An act to provide for keeping in repair and the building of bridges, roads and highways in St. Clair county."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in lieu of the road labor and tax system, as now provided by law, the county court of St. Clair county shall have power, whenever they may decide to do so, and shall enter an order to that effect upon their record, to levy a special tax on all property taxable for county and state purposes in said county, outside of incorporated cities and towns in said county, not exceeding five mills on the dollar, for the purpose of building county roads, bridges and highways, and to keep the same in good repair. Said road tax to be collected and assessed as the county and state taxes are now assessed and collected by law.

Construction of roads, etc. § 2. The county court of said county, at the December term thereof, in each year, are hereby empowered to let out by contract the building of all roads, bridges and highways, or the keeping of the same in good repair, or build and keep the same in repair by day labor. If let by contract, it shall be let in such divisions as said county court may deem proper, to the lowest responsible bidder, who shall give bond and good security in double the amount of his contract; which bond shall be made payable to the county court of said county, for the use of the people thereof, conditioned for the faithful performance of his contract, as agreed upon by said county court.

Appointment of person to supervise building of roads. § 3. The said county court shall have power to appoint suitable person or persons to supervise the building and keeping in repair all the county roads, bridges and highways in said county, under the control and direction of said county court, and shall receive such compensation therefor as said county court shall deem right and proper, not to exceed, however, five dollars per day for his or their time actually employed in the performance of his or their duties, to be paid out of the county treasury.

Obstruction of roads. § 4. The said supervisor or supervisors shall have the same power as conferred upon supervisors in section 16 in laws of 1856, appertaining to roads, and is (or are) hereby

authorized to bring suit before any justice of the peace of the county, to recover fines for the obstructions and continuance of obstructing of public roads, bridges and highways, suing in the name of the county court in their official capacity.

§ 5. The said county court shall specify the time, in each contract, for the completion of the roads, bridges, and highways so let; and all laws and parts of laws in conflict with the provision of this act, are hereby repealed. Contract.

§ 6. The said county court shall have power and are hereby authorized, if they deem it expedient and proper and for the interest of the county, to re-enact the present road law as now established by law, by entering an order to that effect upon the record of the county court and by giving at least 30 days' notice in some newspaper published at the county seat of said county. Re-enactment
of present law.

§ 7. This act shall not take effect until it shall have been published at least 30 days in some newspaper or newspapers published in said county.

APPROVED March 27, 1869.

COUNTIES—SUPERVISORS.

AN ACT to reduce the number of supervisors in Clay county.

In force March
8, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That from and after the first Thursday in April, A. D. 1869, the board of supervisors of the county of Clay shall be composed of one supervisor from the town (township) of Clay city, one supervisor from the town of Stanford, one supervisor from the town of Harter, one supervisor from the town of Louisville, one supervisor from the town of Xenia, as by this act formed, one from the towns of Hosier and Piseley, one supervisor from the towns of Bible Grove and Blair, and one supervisor from the towns of Larkinsburg and Oscaloosa, and no others: *Provided*, that whenever any of said towns or districts shall have attained a voting population of eight hundred, as shown by the actual number of votes cast at any regular election, then such town or districts shall be entitled to be represented in said board by one additional member, for each eight hundred voters, to be chosen as other members thereof, at any annual or special election. Election
supervisors. of

Consolidation
of towns.

§ 2. The towns of Xenia and Songer, in said county, shall be and are hereby united and consolidated into one town, under the name of the town of Xenia; and the annual town election for the year A. D. eighteen hundred and sixty-nine, for the town hereby created, shall be held and conducted by the officers of the present town of Xenia, at the usual place of voting therein: *Provided*, that all acting constables and justices of the peace in said towns of Xenia and Songer, shall hold their respective offices until the expiration of the terms to which they were elected.

Manner of elec-
tion of supervi-
sors.

§ 3. The supervisors of the district composed of the towns of Hosier and Piseley, the district composed of the towns of Bible Grove and Blair, and the districts composed of the towns of Larkinsburg and Oscaloosa, shall be chosen as other town officers, and the town clerk of said towns shall each make returns to the county clerk of said county, within ten days after each annual town election, of the number of votes cast for each and every person voted for, for supervisor. The supervisors of each of said districts shall perform all the duties of supervisors of each town in such districts, except the duties pertaining to the registry of voters, and elections and auditing claims in the town in which he shall not reside, which duties shall be performed by a justice of the peace in such town, to be designated by the town clerk, and each of said supervisors shall give to each town a bond with surety as now required by law.

Compensation.

§ 5. Each member of the board of supervisors of said county shall receive, for his services, while attending the meeting of the board or for attending to other business, for the benefit of the county or as a member of the board, not exceeding two dollars per day.

Conflicting acts
repealed.

When this act
shall take effect.

§ 5. All laws heretofore enacted, so far as conflicting or inconsistent with the provisions of this act, are hereby repealed. This act shall be deemed a public act, and take effect from and after its passage.

APPROVED March 8, 1869.

In force March 29, 1869. AN ACT to provide for the election of additional supervisors in the county therein named.

Annual election
of supervisors.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the legal voters in the first and second wards of the city of Lincoln, in the county of Logan, shall be entitled to elect, annually, one supervisor; and the legal voters in the third and fourth wards of said city of Lincoln shall also be entitled to elect, annually, one supervisor, in addition to the*

township supervisors, to which the townships of East and West Lincoln are now entitled, under the general township organization law; and said supervisors shall be elected in the same manner, and under the same rules and regulations, and at the same time that other city officers are elected; and the clerk of elections, held under the provisions hereof, in the first and second wards of said city shall, within six days after any such election, make out and deliver to the town clerk of the township of East Lincoln, an abstract of the votes cast for supervisor in said first and second wards; and the clerks of elections held under the provision hereof, in the third and fourth wards of the city of Lincoln, shall also, within six days after any such election, make out and deliver to the town clerk of the township of West Lincoln, an abstract of the votes cast for supervisor in said third and fourth wards; and it shall be the duty of the town clerks of the townships of East and West Lincoln, immediately after the receipt of such abstract, to make out and deliver to the person entitled, a certificate of such election; and such persons, so elected, shall thereupon be members of the board of supervisors of Logan county, and shall have powers and enjoy all the rights, powers and privileges that are enjoyed by assistant supervisors, or such as may hereafter be enjoyed by assistant supervisors under the general township organization law.

Abstract of
votes.

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

APPROVED March 29, 1869.

AN ACT supplementary to an act entitled "An act to provide for the election of additional supervisors in the county therein named." In force March 30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the first election of supervisors under the act to which this act is a supplement, shall be held on the first Monday in May, A. D. 1869, and thereafter at the general city elections, for the election of city officers. The registry of voters used at the election held on the 8th day of March, A. D. 1869, for the election of city officers, shall be used as the registry for said first election, and no other registry of votes shall be required.

Election of
supervisors.

§ 2. The city clerk of the city of Lincoln shall give the same notice of elections, held under the provisions hereof and the act to which this is a supplement, as are now required for the election of city officers; and all expenses incurred, of what kind or nature soever, in the elec-

Notice by city
clerk.

tion of supervisors under the provisions of this act, and the act to which this act is a supplement, shall be paid by the city of Lincoln, and not by the county of Logan or the townships of East and West Lincoln.

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

APPROVED March 30, 1869.

In force Feb. 20, 1869. AN ACT to confer certain authority on the board of supervisors of Macon county, Illinois.

Preamble.

WHEREAS, the qualified voters of the county of Macon, in the state of Illinois, did on the 25th day of July, A. D. 1868, at a special election in said county, vote to subscribe twenty-five thousand dollars to the capital stock of the Monticello Railroad Company, in pursuance of an act of the general assembly of the state, supplemental to an act entitled "An act to provide for a general system of railroad incorporations," approved November 6th, 1849; and whereas some irregularities are supposed to exist in relation to said election, but that a large majority of the qualified voters at said election voted for said subscription, showing a decided expression of the voters of said county, in favor of subscribing said amount of stock in said company; therefore,

Supervisors to
take stock in
railroad.

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 Macon, in the state of Illinois, be and are hereby authorized to subscribe for shares of the capital stock of the Monticello Railroad Company, for and on behalf of the said county of Macon, to the amount of twenty-five thousand dollars, and to issue the bonds of said county to said company, to the amount of said stock so subscribed, signed by the chairman of said board of supervisors and attested by the clerk of said county. Said bonds to run for the space of twenty years from the date of the issue, with the privilege, upon six months' notice, of paying any time after five years; said bonds to bear interest at the rate of eight per cent. per annum, payable annually at such banking house, in the city of New York, as said board of supervisors may designate. That said board of supervisors may make said subscription of stock at any meeting of said board, but said subscription shall be made upon the express condition that said bonds shall not be issued to said company, until said company's road shall be completed, in a good and substantial manner, from the city of Champaign, in Champaign

county, Illinois, to the city of Decatur, in Macon county, Illinois, and a train of cars run into the city of Decatur over said road.

§ 2. That in case said board of supervisors shall make said subscription, as hereby authorized, the stock so subscribed shall be under the control of said board of supervisors, in all respects, as stock owned by individuals; and the chairman of said board of supervisors and the clerk of said county shall, upon the completion of said road, and the running of a train of cars into the city of Decatur over said road as aforesaid, issue and deliver to said company the bonds of said county, to the amount of stock so subscribed, and the faith of said company shall be pledged for the annual payment of the interest and the redemption of the principal of said bonds according to their tenor and effect, and the said county shall levy and collect a sufficient tax for that purpose.

Stock controlled
by supervisors.

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

APPROVED February 20, 1869.

COUNTY TAXES.

AN ACT to authorize the board of supervisors of Fulton county to appropriate certain county taxes in certain towns therein named, to the payment of certain bonds issued by said towns.

In force March
7, 1869.

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 and empowered to appropriate so much of the county tax, of said county, as shall hereafter be assessed and collected on that part of the branch of the Chicago, Burlington and Quincy railroad, as is situated in the towns of Pleasant and Vermont, in said county of Fulton, to the payment of certain bonds issued by said towns, to aid the Chicago, Burlington and Quincy Railroad Company in the construction of said road; which amounts, when collected, shall be divided, *pro rata*, between said towns of Pleasant and Vermont, according to the amount of bonds of each, and until said railroad bonds are paid, or until otherwise ordered by the said board of supervisors.

Appropriation
of tax for rail-
road purposes.

§ 2. Nothing herein contained shall be so construed as to make it obligatory upon the said board of supervisors to make any such appropriation, as is authorized in the first

Construction of
act.

section of this act, the power herein conferred being discretionary only.

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

APPROVED March 4, 1869.

In force Feb. 5, 1869. AN ACT to authorize the board of supervisors of McLean county and the corporate authorities of the several townships therein to refund certain taxes to certain persons therein named,

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 and the corporate authorities of the several townships therein be and they are hereby authorized to refund to any and all soldiers who enlisted and was mustered into the United States' service for one year or more, and who was honorably discharged therefrom, and their widows and orphans, all taxes collected from them by said county of McLean, or any township therein, for war purposes.

§ 2. The board of supervisors of said county of McLean and the corporate authorities of each township therein are hereby authorized to issue the bonds of said county or township, payable in one, two, three, four and five years, with interest, annually, at ten per cent., and to levy a tax for the payment of the same, not exceeding one mill on the dollar of taxable property, or they may levy said tax and refund the amounts collected without the issuing of bonds.

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

APPROVED February 5, 1869.

In force March 25, 1869. AN ACT to authorize the several towns of the county of Vermilion to dispose of certain funds therein named.

Preamble.

WHEREAS, by virtue of an act entitled "An act to authorize the levy and collection of taxes in the counties therein named, for the payment of bounties to persons mustered into the service of the United States, and to support the families of such persons," approved February 2, 1865, the citizens of the several towns of the county of Vermilion, in the state of Illinois, collected a greater sum of money than was expended by them for the purposes contemplated

by said act, and have now a surplus of such fund on hand and unappropriated; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the legal voters of the several towns in said county be and they are hereby authorized and empowered, at their next town meeting, or at a town meeting to be called for such purpose, determine how and for what purpose such surplus fund shall be disposed of. Surplus fund.

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

APPROVED March 25, 1869.

DRAINAGE COMPANIES.

AN ACT to authorize the drainage of lands and construction of levees, embankments, locks, roads, fences and hedges in Greene county, Illinois, and the creation of a company for that purpose. In force March 4, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Joseph Brown, John R. Keach, Samuel T. Mayo, Walter Mayo and John W. Woodson, their associates and successors, be and are hereby created a body politic and corporate, by the name and style of "The Illinois Bottom Levee Company," with power to contract and be contracted with, sue and be sued; to own real estate, either by gift or purchase, and to sell and convey the same. Said company may have a common seal, which they may alter or renew at pleasure. Said company shall have power to make by-laws, rules and regulations, not inconsistent with the laws of the land, which shall be binding upon said company and all persons having business with or an interest in the business of said company. Corporate powers.

§ 2. The said Joseph Brown, John R. Keach, Samuel T. Mayo, Walter Mayo, and John W. Woodson, or a majority of them, shall meet, on or before the first day of June next, at the town of Carrollton, county of Greene, state of Illinois, and shall proceed to open books of subscription to the capital stock of said company; and whenever the sum of twenty-five thousand dollars (\$25,000) shall have been subscribed and five per cent. paid in, or secured to be paid in, upon said stock, the said stockholders shall, after ten days' notice in some public newspaper printed in the county of Greene, and state of Illinois, meet and elect five di- Name and style

Open books for subscription.

Appointment of directors.

rectors for the management of the affairs of said company, from whom shall be chosen, by election, a president and a treasurer, who shall be the acting officers of said company. After the election of said directors, the corporators shall hand over to them all books and papers, money and property belonging to said company. All future elections of directors shall be held at such times and places as may be provided for by the by-laws of said company; and at all such elections each share of the capital stock of said company shall be entitled to one vote, and said share may be represented by proxy.

Powers of the
directors.

§ 3. Said company is hereby authorized and empowered to go upon, take possession of, survey, locate, construct and complete dykes, ditches, levees, embankments, culverts, roads, bridges, guard locks and dams; to change [or] clear out obstructions in or widen the channel or bed of any creek, lake or slough, and to keep the same in repair over, through or across any lands in the county of Greene, state of Illinois, in townships numbered eight (8), nine (9), ten (10), eleven (11) and twelve (12) north, of ranges numbered thirteen (13) and fourteen (14) west of the third principal meridian, lying and being between the bluffs skirting the Illinois river bottom on the east and the east bank of the Illinois river—the boundaries of the territories or lands intended to be included in the grant herein being as follows, to-wit: On the north by the northern line of said county of Greene; on the south by the southern line of said county of Greene, or the north bank of Macoupin creek; on the east by the bluffs skirting the Illinois river bottom on the east, and on the west by the east bank of the Illinois river. And shall have power to locate and construct their works over, under or across any public road, railroad, turnpike or plank road which now is or may hereafter be laid out and constructed in said territory; and, for such purpose, shall have the right of way upon and may appropriate to the use and purposes contemplated therein all the lands, stone, timber and materials of every kind necessary for the location, construction and alteration of said dykes, ditches, levees, embankments, culverts, roads, bridges, guard locks and dams, and for the maintenance and repairs of the same.

Possession and
inclosure of land

§ 4. Said company shall have power to take possession of and inclose, either by hedges, pickets, ditches, embankments or otherwise, all or any part of the uninclosed or unimproved lands embraced in the territory mentioned in section three of this act. And when such lands, or any part thereof, may be inclosed as provided in this section, the said company, together with such others as may own or purchase lands within such inclosure, and who shall pay a ratable proportion of the expense of inclosing such lands or parts thereof, shall have the sole and exclusive right and control in and to the said lands therein, and shall have the

right to protect and defend the same by any and all actions, suits and remedies by the laws of this state provided for the protection of private lands, fences and inclosures; and may recover, for trespass and damage done the same, together with the timber, grasses and other appurtenances, the same penalties as are recoverable for similar offenses against like property of natural persons by the laws of this state.

§ 5. Said company shall have power to condemn land and materials for the purpose of the construction of any of the said works mentioned in this act, and for the purpose of keeping the same in repair; and for such purposes, shall have and may exercise all the powers conferred by any of the laws of this state for acquiring right of way for railroads, public roads or other public uses, and in the same mode and manner as may be provided in any such laws: *Provided*, that an appeal from such condemnation shall not hinder the use and occupancy of the said land or materials so condemned, upon the said company giving security, to be approved by the clerk of the court to which said appeal is taken, to abide by and pay such damages as may be assessed against said company. Condemn land.

§ 6. The capital stock of said company shall be two hundred thousand dollars (\$200,000), and be divided into shares of fifty dollars each; and it may be increased, from time to time, as a majority of the stockholders may direct. And said shares shall be deemed personal property, 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. Amount capital stock.

§ 7. The said corporation may borrow money and issue its bonds or other evidences of indebtedness, bearing such rates of interest 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 upon their property, works and franchises, in such manner as said directors may think fit; and may sell such bonds or other evidences of indebtedness at any rate of discount agreed upon by said directors. And such bonds or other evidences of indebtedness may be converted into stock by the holders thereof. Borrow money.
Issue bonds.

§ 8. That, for the purpose of meeting any interest upon the capital invested and the expenses incurred in the construction of the embankments, levees, drainage and other works mentioned in this act, and all interest accruing upon the bonds or other indebtedness issued by the said company, for such purposes there shall be annually levied and collected, in the mode hereinafter provided, a tax upon said lands so embraced within said embankments, levees and other works, and all other lands in the county of Greene, and state of Illinois, directly benefited by said drainage, Pay interest on bonds issued.

leveeing or embankment; which said tax shall not be greater than will meet an amount sufficient to pay ten per cent. upon the capital so invested and bonds issued, and other expenses incurred, the expense of management and the annual necessary repairs of the work, when completed, after the application of any profits arising from said work, if any such there be; and the proceeds of said taxation shall be applied to no other purpose, and any balance remaining over from any one year shall be carried forward as a credit to the next.

Report cost and expenditures.

Collection of taxes.

Payment of lien

§ 9. Said company shall make out and deliver to the clerk of the county court of the county of Greene and state of Illinois, annually, a list of all persons and lands within said embankments, levees or other works of the said company and benefited by said drainage, leveeage, embankments or other works, together with a statement, made under oath of the treasurer of said company, of all moneys expended or borrowed for the construction and repair of said works, and also the necessary annual expenses of the management of the same; and it shall be the duty of the said clerk of the county court of Greene county to place upon the state and county assessments, in addition thereto, such sum per cent. as will pay the expenses and interest hereinbefore reserved, and shall carry out the same on the collector's book, and he shall receive therefor such fees as are allowed by law for similar services in extending state and county tax. The company shall assess all lands within the county of Greene for taxation, in proportion to the benefit said land shall derive from the work done under this act, and which said taxation shall be collected at the same time and places as said state and county taxes are collected; and in the event of non-payment, the same rights and privileges, liens and remedies that are now in force, or shall be made obligatory by law for the collection of state and county taxes, shall be applicable to the collection of said special tax, and the same judgment shall be obtained and the same privileges and obligations shall be imposed upon purchasers and owners as by law are applicable to lands sold for the non-payment of taxes; and all deeds executed by the sheriff or other officer on a sale of such lands for taxes under the provisions of this law, shall be received in all courts of justice and elsewhere as evidence of the same facts now evidenced by the sheriff's deeds under the revenue laws of this state.

§ 10. Whenever a majority of the land holders within the boundaries of said embankment shall determine, by a vote of the same, to pay off said lien, or any part thereof, upon the lands, and shall so decide, then it shall be the duty of the directors of said company to place on the list for taxation such per cent. as may be voted to be collected by the

state and county collector, in addition to such sum as is before reserved.

§ 11. Upon repayment by taxation, as hereinbefore provided, of the principal so invested, and all interest that may be due for the drainage or leveeing or embankment of lands, the said works, and all the property of said corporation, shall become the property of the owners of lands so taxed for the purchase, subject to all existing contracts and liabilities, and shall thereupon be managed and controlled by the county courts of Greene county, who shall thenceforth, by the revenues thereof and such additional taxation upon the lands benefited and improved, as may be necessary for the purpose, keep the same in good repair and preservation.

Land to revert to owner on payment principal.

§ 12. The collector of Greene county shall make and execute to said company a good and sufficient bond for the faithful collection and payment over of said tax to said company, and it shall be his duty to pay over to said company the taxes so collected, from time to time, as the same may come into his hands, and he shall be allowed the same compensation as he is now allowed for the collection of school tax.

Collector, bond.

§ 13. That, for the purpose of paying the expenses that may be incurred under this act in building, improving and repairing the levees, embankments, ditches, drains and other works necessary to reclaim the overflowed lands mentioned in this act, and to prevent the same from being overflowed by the high waters of the Illinois river and its tributaries, the state tax on all the lands situated, lying and being in townships numbered eight (8), nine (9), ten (10), eleven (11) and twelve (12) north, of ranges numbered thirteen (13) and fourteen (14) west, of the third principal meridian, and within the county of Greene, and state of Illinois, be and the same is hereby appropriated for the term of ten (10) years, beginning with and including the year in which the works contemplated herein shall be actually commenced and prosecuted in good faith.

Tax, how used.

§ 14. Upon written notice by the secretary of the Illinois Bottom Levee Company of the actual commencement of the works contemplated by this act, to the clerk of the county court of Greene county, and state of Illinois, it shall be the duty of the said clerk, as soon as practicable after the return of the tax books to him by the assessor, each year, beginning with and including the year in which said works are begun, as aforesaid, and the nine years following thereafter, to give to the treasurer of the Illinois Bottom Levee Company a duplicate of the amount of state tax to be collected from the lands in the townships mentioned in section thirteen (13) of this act, and also to transmit to the auditor of public accounts a similar certificate, in each year; and, when said tax shall be collected each year,

Duties of the county clerk.

including the tax for the year in which the said works shall be begun, as aforesaid, the county collector, on presentation of the 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 said Illinois Bottom Levee Company the balance of the amount so certified, and the auditor of public accounts is hereby directed and authorized to give said collector credit for the amount of said certificate, upon a settlement with him for taxes due the state.

Treasurer.

§ 15. It shall be the duty of said treasurer of said company to pay out the said money so received by him from said collector for the purpose of paying the expenses which may be incurred in building the levees and other works provided for in this act, and the interest on the same, and such expenses as may hereafter be incurred in improving and repairing the said levees and other works, as may be deemed best by the board of directors of said company, and under their orders and direction.

Official bond.

§ 16. The said company shall, each year during said ten years, by its president and secretary, enter into bond to the people of the state of Illinois, with security, to be approved by the judge of the first judicial circuit of the state of Illinois, in the penal sum of twenty thousand dollars, conditioned for the true 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.

President and
secretary, report

§ 17. It shall be the duty of the said company, on the first day of December, in each year, during the said term, to file with the said clerk a statement, sworn to by the president and secretary of said company, of the amount received each year under the provisions 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 no further sum shall be paid out under the provisions of this act, and the same shall be paid into the state treasury, as in other cases.

Application of
state tax.

§ 18. The appropriation of the state tax herein made, and the provisions of this act in reference to its payment and application, shall in no manner interfere, control or limit such other powers, rights and privileges as are herein and hereby granted to the said Illinois Bottom Levee Company.

Act of 1837 re-
pealed.

§ 19. That, for the purpose of aiding said company to prosecute and complete the works contemplated by this act, an act of the general assembly of the state of Illinois, entitled "An act concerning Calvin's slough," approved July 21, 1837, declaring said slough a navigable stream and public highway, and any other act declaring said slough a navigable stream and public highway, are hereby repealed; and said company are hereby authorized and empowered to erect

bridges, dams, dykes, locks, or other works contemplated by this act, over, across or along said slough.

§ 20. The said Illinois Bottom Levee Company are by this act authorized to proceed with the works contemplated by this act, for the reclamation, drainage or improvement of all or any portion of the lands included in the territory mentioned in section three (3) of this act, and this act shall be so construed as to authorize the said company to erect and construct cross-dams, embankments, levees, drains, ditches, hedges, fences, and such other necessary works, over, in, through or across any portion of the land included in said territory, as may be deemed necessary and advantageous by the board of directors or other managing officers of the said company. Construction of act.

§ 21. This act shall be in force from and after its passage, and shall be held and taken as a public act, and shall be liberally construed to carry out the purposes and interests of the same.

APPROVED March 4, 1869.

AN ACT supplemental to an act to authorize the drainage of land and the construction of levees, embankments, locks, roads, fences, and hedges in Greene county, Illinois, and the creation of a company for that purpose. In force March 4, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That sections eight and nine of the act to which this is supplemental, be and the same are hereby repealed.* Sections 8 and 9 repealed.

§ 2. Whenever the said company shall determine to construct any levee, embankment, lock, road, fence, hedge or other improvement authorized in said act, or incur any outlay or expense on account thereof, the said company shall certify the amount thereof, either to the judge of the circuit or county court of said Greene county, who shall, thereupon, by order of court, appoint three commissioners for the purpose of assessing such outlay, expense and costs upon the property benefited or to be benefited thereby, who shall be sworn to make a true and equitable assessment thereof, in proportion to the benefit, as hereinafter provided. The said commissioners shall, within a reasonable time after their appointment, fix upon a day when they will meet to make such assessment, and give at least ten days' previous notice, by posting notices in at least three public places in said county, or by publication in some newspaper of general circulation, published in said county, of the time and place of such meeting; at which time the said commissioners shall meet and shall proceed to make and per- Appointment of commissioners.

Duty of commissioners.

fect their said assessment; and for that purpose they shall hear evidence in behalf of any and all persons interested, and shall have power to administer oaths to witnesses certifying before them, and may adjourn their said meeting, from day to day, till they shall have completed their said assessment. Having completed their said assessment they shall make out and deliver to the clerk of the court which shall have made the assessment [appointment] of said commissioners, a certified copy of the same; which said assessment may be confirmed by the judge of said court, either in term time or in vacation, by indorsing his approval thereon, or by order of court, to be entered upon the record of said court; and thereupon the clerk of said court shall make out and deliver a copy thereof to the clerk of the county court, who shall extend the same upon the tax books of said county in the same manner as other taxes are extended, and the same shall be collected the same as other taxes; and when and as fast as collected, shall be paid over to the said company.

Assessments
for benefit's.

§ 3. In making said assessment the said commissioners shall assess the said outlay, expense and cost upon the several tracts, pieces or parcels of lands, respectively, in the proportion and only to the extent they will be or have been benefited by such improvement.

Re-assessments

§ 4. Any one or more re-assessments may be made for the purpose of completing or improving or repairing any work which shall have been ordered or made by said company, or for the purpose of meeting any deficiency in a former assessment, and for making any other or different improvement authorized by this act.

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

APPROVED March 4, 1869.

DRUG AND CHEMICAL COMPANIES.

In force March 20, 1869. AN ACT to incorporate the Illinois Metallurgical and Chemical Company.

Corporate
powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Frederick Mahla, Christian Aobl, William H. Chappell, Louis Aobl, and Francis A. Chappell and others, their associates and successors, are hereby created a body corporate and politic, for a period of fifty years from the passage of this act, for the purpose of mining, smelting and refining

gold, silver and other metals and manufacturing chemicals, and disposing of the products therefrom, in the county of Cook and elsewhere, by the name and style of "The Illinois Metallurgical and Chemical Company," and by that name shall have succession for the period aforesaid, and capacity to contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; to adopt and use a common seal, and alter the same at pleasure; may purchase, take, hold, sell, lease, transfer and convey such real and personal estate as may be deemed expedient, in and for the management of its business, and may erect as many factories, depots and buildings, and of such dimensions as they may desire, for the aforesaid purpose; may make by-laws, not inconsistent with the laws of this state or of the United States.

Name and style.

§ 2. The capital stock of said corporation shall be limited to five hundred thousand dollars, divided into shares of one hundred dollars each.

Amount of capital stock.

§ 3. At such time and place as a majority of the corporators named in the first section of this act shall, in writing, appoint, books shall be opened for subscription to said capital stock and may be kept open, from time to time, until said amount of capital stock shall have been subscribed. Payment of such subscription shall be made in such manner and at such time as the board of directors of said corporation shall require, and said board shall have power to provide for the forfeiture to the corporation of the stock of such subscribers, as aforesaid, as shall fail to make such payments.

Open books for subscription

§ 4. As soon as stock to the amount of ten thousand dollars shall have been subscribed, a time and place shall be designated, in writing, by a majority of the corporators named in the first section of this act, for the election of not less than three nor more than nine directors, who shall be stockholders in the corporation; and the persons then and there elected shall constitute the directory until their successors are elected.

Election of directors.

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

APPROVED March 30, 1869.

AN ACT supplemental to an act, approved March 30, 1869, to incorporate the Illinois Metallurgical and Chemical Company. In force April 19, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the first five lines of section one of said act is modified and amended, and shall read as follows:*

Act amended.

"SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Fred-eric Mahler, Christian Wahl, William H. Chappill, Louis Wahl, Francis A. Chappill, and others, their associates.*"

§ 2. This act shall take effect from and after its passage.
APPROVED April 19, 1869.

In force April 15, 1869. AN ACT to incorporate the North-Western Drug and Chemical Company.

Corporate powers. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That J. B. Fosselman, J. L. Million, H. H. Glidden, Rufus S. Lord, S. H. Melvin, C. A. Helmle, C. E. Parker, F. H. Barker, and A. H. Lanphear, and their associates and successors, and such other persons as shall become stockholders in the company hereby created, shall be a body politic and corporate, by the name and style of "The North-Western Drug and Chemical Company," and shall have succession, a common seal, with power to sue and be sued, plead and be impleaded, contract and be contracted with; to appoint all necessary officers, servants and assistants, and may have, enjoy and exercise all the powers necessary to carry out and exercise all the purposes and intents of a manufacturing and furnishing drug and chemical establishment.*

Name and style.

Amount of capital stock. § 2. The capital of the said corporation shall be two hundred and fifty thousand dollars, with liberty to increase the same to one million dollars—to be subscribed and paid for in the manner hereinafter provided—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 the by-laws may prescribe. Said company shall be located in the city of Springfield.

May hold and convey real estate. § 3. It shall be lawful for the company hereby incorporated to purchase and hold such real estate 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, and to sell, convey, lease, and dispose of such real estate as may be deemed for the interest of said corporation.

Appointment of board of directors. § 4. The affairs of the 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 such directors shall be held by the stockholders when fifty thousand dollars shall have been subscribed to the capital stock of said corporation, and five per cent. paid

thereon. Any three of the corporators herein named shall be commissioners to open books for subscription. The money so received by the commissioners shall be paid over to the directors when elected. The directors shall elect a president, secretary and treasurer, annually, and shall make such by-laws as may be convenient and necessary for the proper prosecution of the business of the corporation, not inconsistent with this act or with the laws of this state, or of the United State; but no by-laws for this corporation shall be passed without the consent of the majority of the directors.

§ 5. The election of directors shall be held annually at the office of the company, and the board of directors shall give at least ten days' notice thereof to the stockholders, in such manner as they may determine. Every election of directors shall be by ballot, and the number of shares owned by each stockholder voting shall be indorsed on the ballot by the person or persons who may be appointed by the directors to receive and count the same, and a plurality of votes shall elect. Every stockholder shall be entitled to one vote for each and every share of capital 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 impair, in any wise, the rights of stockholders or others interested, and the directors in office shall hold over until their successors shall have been elected. Notice of election.

§ 6. Within sixty days after the election of the first board of directors, as provided in section four of this act, the board of directors shall call for the payment of an additional sum of fifteen dollars per share on each share of said stock, to be paid at such time and place as the directors may appoint, on due notice to said subscribers. The shares of every stockholder failing 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 subscribed, as provided in the foregoing section, the corporation shall be considered fully organized, and after the payment of twenty dollars per share on the whole number of twenty-five hundred shares of capital stock of this corporation, making up the amount of fifty thousand dollars actually paid in, the corporation may commence business in the full enjoyment of the privileges of this charter. Additional payments.

§ 7. The board of directors shall have power to call for the payment of the balance due on the subscription to the stock of this corporation, in such amount and at such times as they may deem proper and necessary; and in the event of the non-payment of the balance due by any stockholder on his stock, within sixty days after due notice by the directors, it shall be lawful for the directors, at their Stock of delinquents, sale of.

option, to enforce such payments or to sell at public auction, to the best advantage, the amount of stock standing in the name of such non-paying stockholder, who shall thereupon cease to be a stockholder in the corporation, and the purchaser or purchasers of said share of stock shall become liable for the payment of all calls then due or thereafter made on such shares of stock, and shall have and enjoy all the privileges and profits accruing or accrued to the said shares of stock.

Dividends, etc.

§ 8. The board of directors may declare dividends on the stock of said corporation, from time to time, and at any 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 dividends shall not reduce the surplus 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, per share, has been paid into the corporation.

May increase capital stock.

§ 9. At any time after the full payment of the original capital of two hundred and fifty thousand dollars into the corporation, as hereinbefore provided, the board may increase the capital of the corporation to the amount limited, or any part thereof, in shares of one hundred dollars each ; and said increase shall be 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.

Stockholders' liability.

§ 10. Every stockholder of the company incorporated under this act shall be individually liable to the creditors of the corporation, to an amount equal to the amount of stock held by him ; but no stockholder shall be personally liable for the payment of any debts or obligations contracted by the corporation, unless a suit for the collection of such debt or obligation shall have been brought against said corporation within one year from the time that the same shall have become due, nor until an execution against said corporation shall have been returned unsatisfied in whole or in part.

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

IN FORCE April 15, 1869.

I, EDWARD RUMMEL, Secretary of State, do hereby certify that the foregoing act of the Twenty-sixth General Assembly of the State of Illinois was filed in the office of the Secretary of State, April 23, 1869, without the signature of the Governor, but, by virtue of Section 21, Article IV, of the Constitution of this State, the same is now declared a law, having been retained over ten days by the Governor after its reception.

EDWARD RUMMEL, Sec'y of State.

AN ACT supplemental to an act entitled "An act to incorporate the In force April
North-Western Chemical Company," passed February 26, 1869. 16, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section two (2) of the act to which this act is supplemental, be and the same is hereby amended, by striking out the word Springfield and inserting the word Chicago in lieu thereof. Act amended.

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

APPROVED April 16, 1869.

ELEVATOR COMPANY.

AN ACT to incorporate the Peoria Elevator Company.

In force March
26, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Lewis Howell, Enoch Emery, Philip Leel, John E. McClure, William A. Herron, William Reynolds, Charles P. King, John A. Francis, John Hamlin, Alexander McCoy, Thomas C. Moore, Zenas W. Hotchkiss, and Lorin G. Pratt, and such other persons as they may associate with them, be and they are hereby created a body politic and corporate, by the name and style of "The Peoria Elevator Company," and by that name and style they, their associates, successors and assigns shall have perpetual succession; may have and use a common seal, and alter the same at their pleasure; may contract and be contracted with, sue and be sued, and have, generally, all the powers, privileges and immunities incident to corporation and necessary to the business of said company. Corporate powers, how vested.

§ 2. The business of said company shall be the erection of an elevator and warehouse in the city of Peoria, and conducting the business thereof; and for the purpose of carrying on the business of buying, selling, storing, handling and generally dealing in grain, and such other produce as said company may, from time to time, determine, it shall have power to purchase, lease, hold and convey all necessary real estate in said city of Peoria; and in the conduct of its business it shall have all powers, rights and privileges incident to or necessary for the same as fully as if hereby specially granted. Construction of elevator.

Amount capital stock.

§ 3. The capital stock of said company shall be fifty thousand dollars, and may, from time to time, be increased to any sum not exceeding two hundred and fifty thousand dollars, and shall be divided into shares of one hundred dollars each.

Election of board of directors.

§ 4. Said corporators shall have power to determine the number of directors and to elect the first board thereof, and said board, when elected, shall appoint such officers, agents and servants as said directors, by their by-laws, may determine to be necessary.

§ 5. Elections for directors shall be held annually, and after the election of the first board shall be held in manner and form as is usual in like corporations.

Powers of the board.

§ 6. The board of directors shall have power to make, and at all times to change, alter and amend all by-laws, as they shall deem proper.

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

APPROVED March 26, 1869.

FAIR ASSOCIATIONS.

In force March 30, 1869.

AN ACT to exempt the fair grounds of the Cumberland County Agricultural Society from taxation.

Fair ground.

Exempt from taxation.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That the following described tract of land, and all buildings and improvements thereon which belong to the Cumberland County Agricultural Society, situated in Cumberland county, Illinois, and used by said society as a fair ground, to-wit: Commencing at the south-west corner of the north-west quarter of the north-east quarter of section (30) thirty, in township No. (10) ten north, of range No. (9) nine east, in said Cumberland county; thence running north thirty-one (31) rods; thence running east fifty-one (51) rods and sixteen links; thence running south thirty-one (31) rods; thence running west fifty-one rods and sixteen links, to the place of beginning—containing (10) ten acres—be and is hereby exempt from all taxation for state, county, school, township, road and special taxes, so long as the same may be used as such fair grounds.

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

APPROVED March 30, 1868.

AN ACT to incorporate the Johnson County Agricultural Fair Association. In force April 9, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the organization known as the Johnson County Agricultural Fair Society, incorporated under the general laws of this state, acting under said laws and governed by the following named officers, duly elected, viz: A. J. Kuykendall, president; Jason B. Smith, vice-president; F. M. Simpson, secretary; W. A. Looney, treasurer, and five directors—be and they are hereby declared a body corporate and politic, under the name and style of "The Johnson County Agricultural Fair Association;" their associates, successors and assigns shall have perpetual succession; may sue and be sued, plea and be impleaded, in all the courts of this state and elsewhere, and shall possess and enjoy all the powers, privileges and immunities incident to incorporations, for the purposes herein enumerated; and may have and use a common seal, which they may alter at pleasure.

Corporate powers.

§ 2. The capital stock of said association shall be twenty-five hundred dollars, but may be increased by a vote of the stockholders representing a majority of the capital stock, from time to time, as necessity may seem to require. It shall be divided into shares of one hundred dollars each—each share of stock to be entitled to one vote at an election of officers to be held on the first Saturday in April, in each year; at which election there shall be elected a president and vice-president, secretary and treasurer, and five directors—who shall all be stockholders in said association—who shall hold office for one year or until their successors are elected and qualified. The secretary and treasurer to give bond, for the faithful performance of their duty, in such sum as the directors may see fit.

Amount of capital stock.

Election of officers.

§ 3. *Be it further enacted,* that said association shall be entitled to all the rights and benefits now existing, or which may hereafter exist, for the benefit or encouragement of agricultural or mechanical societies or associations in this state.

Powers and privileges.

§ 4. In addition to the powers now given, under the general laws of this state governing incorporations, said association shall have the power to borrow money and to execute promissory notes or bonds, or to issue other evidences of indebtedness, and to execute such mortgages or other pledges of its personal or real estate, in its corporate name, as may be deemed necessary to secure the payment of any indebtedness it may contract. And also, in its corporate capacity and name, to receive and hold real estate and convey the same, under such rules and regulations as may be hereafter adopted by its board of directors; and may issue certificates of stock to the amount of its capital stock, in

Borrow money.

Open books for subscription.

Joint stock association.

such sums and to such persons as the directors may think proper, upon their subscribing and paying for one share or more. Shares of stock shall be and is [are] hereby made personal property. The president and directors shall open books for subscription of stock, at any time they may think proper, by giving ten days' notice, in a paper published in Johnson county, or by posting up bills at four of the most public places in said county.

§ 5. The Johnson County Agricultural Society shall be merged, and power is hereby given to reorganize said society into this association, as a joint stock association, to be governed by such laws, rules and regulations as the incorporators may deem proper to adopt.

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

APPROVED April 9, 1868.

In force March 24, 1869.

AN ACT to incorporate the Union Fair Association of Centralia.

Body corporate and politic.

Name and style.

Objects of the corporation.

Common seal.

General powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That S. M. Warner, F. Kohl, B. Pullen, M. C. Kell, M. M. Hooton, Eli Coppel, G. W. Willard, R. D. Noleman and James Wilson, and their associates and successors in office, and such other persons as now are or shall hereafter become stockholders by virtue of the provisions of this act, are hereby constituted and declared a body politic and corporate, by the name and style of "The Union Fair Association of Centralia;" and by that name shall sue and be sued, plead and be impleaded, answer and be answered unto, in all courts of law and equity in this state.

§ 2. The object of the association shall be the promotion of improvements in all the various departments of agriculture, horticulture, commerce and manufacture, the mechanical and domestic arts; also, to improve the race of all useful domestic animals and the dissemination of useful knowledge in regard thereto.

§ 3. That said association shall have power to make and establish a common seal, which they may alter and change at pleasure.

§ 4. That said association shall have power to make and establish such by-laws, rules and regulations for the government of said association and for the transaction of their business as shall be deemed necessary and proper by said association: *Provided*, such by-laws and regulations shall not be contrary to the constitution and laws of the state of Illinois or of the United States.

§ 5. That the capital stock of said association shall consist of twenty-five thousand dollars, with the privilege of increasing the same to one hundred thousand dollars, to be divided into shares of ten dollars each: *Provided, however,* that when ten thousand dollars are subscribed as stock, the association may commence operations under the provisions of this act. Amount capital stock.

§ 6. That said association shall have power to loan and borrow money, on the security or credit of assets belonging to said association, and in their corporate name shall have power to sue for and collect all subscriptions that have been or may hereafter be made to said association. Borrow money.

§ 7. That the said association may purchase and hold and dispose of real estate for the purpose of said association. May hold and convey real estate.

§ 8. That if any person or persons shall wantonly, willfully or maliciously turn in any kind of stock into the inclosure of said association, or negligently open any gate or gates of said inclosure, or tear down or destroy anything belonging to said association, or do any act by which said association may be damaged, he or they, or any person assisting, shall forfeit and pay to said association treble the amount of damages that shall be proven before any court having jurisdiction of the amount claimed, which may be sued for and recovered in the name of said association. Punishment for violations.

§ 9. That the stock of said association shall be deemed and considered personal estate and shall be transferable by indorsement; but no transfer shall be valid or effected until such transfer be entered with and registered by the secretary, on the books of the association. Stock deemed personal property.

§ 10. That said association may exist as a body corporate for fifty years from and after the passage of this act. Duration of corporation.

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

APPROVED March 24, 1869.

FERRIES—INCORPORATED.

AN ACT to establish a ferry between Albany and Camanche.

In force March
9, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That D. N. Ostrander and William Ewing be and they are hereby authorized, empowered and licensed to continue, keep and maintain a ferry across the Mississippi river, from a point Corporators.

Maintain ferry.

on the east bank of the same at the end of Vine street, at the town of Albany, in the county of Whiteside, and state of Illinois, to or near the city of Camanche, in the county of Clinton, in the state of Iowa. And that the said D. N. Ostrander and William Ewing, their heirs and assigns, shall have the exclusive right of continuing, keeping and maintaining said ferry across said river, two (2) miles above and below said point or place on Vine street, and to have and receive all emoluments, advantages and profits arising from the same during the period of twenty (20) years—any law to the contrary notwithstanding.

Requirements of the party.

§ 2. This act shall be deemed a contract between the said D. N. Ostrander and William Ewing, their heirs and assigns, and the state of Illinois. That the said D. N. Ostrander and William Ewing, their heirs and assigns, on their part, in consideration of the privileges granted in the foregoing section, shall keep, use and maintain said ferry, according to the laws of the state of Illinois, regulating ferries. *But it is further provided*, that the ferry boat shall be of good size and substantially built, and propelled by horse or steam power.

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

APPROVED March 9, 1869.

In force March 8, 1869. AN ACT to establish a ferry across the Mississippi river at the town of Andalusia, in the county of Rock Island, and state of Illinois.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That James N. Adams and David P. Bothel, of Andalusia, Rock Island county, Illinois, their heirs and assigns, shall have the right, within the limits hereinafter mentioned, for the term of twenty years, to establish, maintain and operate a ferry, from the town of Andalusia, in Rock Island county, Illinois, to the Iowa shore in Scott county, from any place on the Illinois shore, between the mouth of Fancy Creek and a point not exceeding three miles below or down the river therefrom.

Ferry-keepers.

§ 2. The said James N. Adams and David P. Bothel, their heirs and assigns, shall, at all times during the term aforesaid, keep a good and substantial boat, to be propelled by horse or steam power, and shall, at all days, from the rising of the sun till the going down thereof (except when the ice or heavy winds shall make the crossing of the river impossible), transport across the river all persons, whether on foot or on horseback, wagons and teams, and all kinds

of stock and other property demanding to be crossed at said ferry, and shall not delay at either shore a longer time than one hour when persons are waiting to be crossed; and upon the failure or neglect to comply with the aforesaid provisions, shall be liable for all damages incurred by reason of such neglect.

§ 3. The said James N. Adams and David P. Bothel, Ferry rates. their heirs and assigns, shall be allowed to charge and receive such rates of ferriage, and no more, as shall be prescribed by the board of supervisors of Rock Island county, Illinois, and the board of supervisors of Scott county, Iowa.

§ 4. That the said James N. Adams and David P. Boats. Bothel, their heirs and assigns, shall keep a sufficient number of hands to manage said ferry with safety, and assist in facilitating the crossing said river, and such small crafts as to be necessary for the same.

§ 5. That should the boat or boats used in running the said ferry be sunk, or otherwise rendered unfit for use, a reasonable time will be given for said proprietors to supply their places with other boats; and if, from any cause, when said ferry can be run, the proprietors fail to keep up their ferry for a space of three months at any one time, the privileges under this act shall cease. When privilege to cease.

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

APPROVED March 8, 1869.

AN ACT to establish the Cape Girardeau and Clear Creek Ferry Company. In force March 25, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Thomas McClure, John Hodges, P. H. Pope, H. Watson Webb and D. T. Linegar, and their associates, heirs and assigns, be and they are hereby created a body corporate and politic, by the name and style of "The Cape Girardeau and Clear Creek Ferry Company," and by that name shall be capable of suing and being sued, pleading and being impleaded in any cause, either in law or equity; may have and use a common seal and may alter and change the same at pleasure; and in their corporate name may take and hold any real, personal or mixed estate, by purchase, or otherwise, that may be necessary for the ferry hereby established. Corporate powers. Name and style

§ 2. Said company is hereby authorized and empowered Establish ferry. to establish a ferry across the Mississippi river to the city of Cape Girardeau, in the state of Missouri, at any point on section thirteen (13), in township fourteen (14) south, of

range three west, in the county of Alexander, and state of Illinois.

Amount of capital stock. § 3. The capital stock of said company shall be ten thousand dollars, which shall be divided into shares of fifty dollars each, and may be increased when the majority of the stockholders shall think the same necessary for the object herein contemplated.

Board of directors to consist of five. § 4. The management shall be in the hands of five (5) directors, and the persons named in this act shall act as directors for the first year after the company is organized.

Maintain ferry. § 5. The company hereby created shall, within one year after the passage of this act, establish and maintain a good and suitable ferry across said river at the point indicated in section two (2) of this act, with good, safe and secure boats, to be propelled by steam or horse power, for the accommodation of the public wishing to cross said river at said point.

Ferry rates. § 6. When said ferry is established it shall and may be lawful for such company to take and have a reasonable toll for all persons and property crossed on said ferry—which rates may be fixed by the county court of Alexander county: *Provided*, such rates shall not be below the rates allowed at similar ferries on said Mississippi river in Illinois.

Prompt payment of capital stock. § 7. The board of directors shall have power to require the payment, from time to time, of such sums on each share of the capital stock, as they may deem [?]; and, in their by-laws, declare what shall constitute a forfeiture of stock for failure to pay the amounts as required.

General laws. § 8. The ferry hereby created shall be subject, in all respects, and governed by the general laws of this state regulating ferries, toll bridges and turnpike roads, so far as applicable, except as herein otherwise provided.

Rights limited. § 9. This act shall be in force from and after its passage; and the rights and franchises granted by it shall be exclusive within the limits of sections thirteen (13), twelve (12) and twenty-four (24), fronting on said river, in township fourteen (14) south, of range three (3) west of the third (3d) principal meridian, and continue for twenty-five years after its passage, after which time the legislature may alter, amend or repeal, as the public good may require.

APPROVED March 25, 1869.

AN ACT to establish a ferry across the Mississippi river, opposite Clarksville, Pike county, in the state of Missouri. In force March 25, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That William McIntosh, Benjamin P. Clifford, Edward B. Carroll, and Jno. O. Roberts, their heirs and assigns, be and they are hereby authorized and empowered to maintain and keep a ferry, for and during the term of twenty (20) years from the passage of this act, across the Mississippi river, at any point in Calhoun county, for the distance of eight (8) miles south of the county line between said Calhoun county and the county of Pike, in the state of Illinois, to the west shore of said river at Clarksville, Pike county, in the state of Missouri. The said Wm. McIntosh, Benjamin P. Clifford, Edward B. Carroll and Jno. O. Roberts, and their heirs and assigns, shall at all times keep a good and sufficient ferry boat, with such other boats as may be necessary, for the speedy and safe transportation of passengers, teams, horses, cattle and other animals, as well as goods and effects belonging to passengers—and shall furnish said boats with men of suitable strength and skill to manage them; and shall receive such rates of ferriage as may be allowed by the county court of said Calhoun county. Corporate powers.
Requirements of corporators.

§ 2. The said William McIntosh, Benjamin P. Clifford, Edward B. Carroll and John O. Roberts, their heirs and assigns, shall pay into the county treasury of said Calhoun county such amount of tax as may be imposed upon said ferry by said county court, not exceeding twenty five (25) dollars per annum: *Provided*, that said county court shall not grant any license to any person or persons to run any sort of a ferry boat, during the said period of twenty (20) years, within the limits aforesaid. Tax paid to county treasurer

§ 3. The said William McIntosh, Benjamin P. Clifford, Edward B. Carroll and John O. Roberts, their heirs and assigns, shall be entitled to the benefit of the forty-second chapter of the Revised Statute of the state of Illinois, relating to ferries and toll bridges; and should any person or persons, or body politic hereafter licensed or without license, run or land a ferry boat within the limits aforesaid, they shall be subject to and incur the penalties and forfeitures as provided in said forty second chapter of said Revised Statutes; which said penalties may be received by said William McIntosh, Benjamin P. Clifford, Edward B. Carroll and John O. Roberts, their heirs and assigns, as therein provided. Benefit of ferry laws.

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

APPROVED March 25, 1869.

In force March
20, 1869.

AN ACT to establish a ferry across the Embarrass river, in Cumberland county, Illinois.

Ferry, establish SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That a ferry across the Embarrass river be and the same is hereby established, on or near the place where the present state road from Greenup to Charleston runs across the Embarrass river, in Cumberland county; and said ferry, so established, is hereby chartered and granted to William E. Workman for the term of twenty years.

Payment of tax. § 2. The said William E. Workman shall give bond, yearly, as is now provided by law, and said ferry shall in all things be subject to the laws now in force, or that may hereafter be enacted, governing similar franchises, and shall pay such sum into the county treasury and charge such fare as the county board of said county shall require.

§ 3. This act to be in force from and after its passage.
APPROVED March 30, 1869.

In force March 24, 1869. AN ACT to authorise William G. Lasater and Martin Conway, to establish a ferry across the Illinois river.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William G. Lasater and Martin Conway, their heirs and assigns, be and they are hereby authorised to establish and keep a ferry across the Illinois river, at or near the east half of the north east quarter of section seven (7), in township nineteen (19) north, of range eleven (11) west, of the third principal meridian, in the county of Cass, in the state of Illinois, on the east side of said river, and lot number four (4), in block number twenty-four (24), in the original plat of the town of Browning, in the county of Schuyler, in said state, on the west side of said river and between said points, for the term of twenty years.

Ferry rates. § 2. The said William G. Lasater and Martin Conway, their heirs and assigns, are hereby authorized to charge, collect and receive such rates of ferriage as are now authorised to be charged by other ferries on said river similarly situated.

Comply with ferry laws. § 3. The said William G. Lasater and Martin Conway, their heirs and assigns, shall comply in every respect with the provisions of chapter forty-two of the Revised Statutes, entitled "Ferries," and shall be entitled to the same rights and privileges and be subject to the same liabilities as other ferrymen on said river similarly situated.

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

APPROVED March 24, 1869.

AN ACT to establish the Illinois and Kentucky Ferry.

In force March 30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Valentine Owen, his heirs and assigns, be and are hereby authorized and shall have the sole and exclusive right to establish and keep a ferry across the Ohio river, from any part of the bank of said river, extending for one mile above and one mile below fractional section 29, in township 16 south, of range six (6) east, of the third principal meridian, in Massac county, Illinois, to the Kentucky shore, as long as he shall comply with the provisions of this act, or of any general law now in force or hereafter to be enacted. Corporate powers.

§ 2. That said Valentine Owen shall, within six months from the passage of this act, and at all times thereafter, keep a good and sufficient boat or boats for the speedy and safe transportation of all passengers, teams, horses and other animals, wagons and carriages, as well as goods and chattles belonging to passengers, and that said boat or boats shall be propelled by steam, or shall be furnished with sufficient men, of strength and skill, to manage the same, or with horses to propel the same. Establish ferry.

§ 3. That said Valentine Owen, his heirs, assigns or grantees, shall be allowed to land his boat or boats at any point on the bank of the said river, at any point described in section one of this act, where he or his heirs or assigns or grantee is or are the owner or owners of the land, including the river bank, and shall receive such rates of ferriage as the county court of Massac county may fix, from time to time. Ferry rates.

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

APPROVED March 30, 1869.

AN ACT to establish a ferry on the Mississippi river at Garden Plains township, Whiteside county, and state of Illinois. In force March 27, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Charles R. Rood, Charles H. Toll, John C. Bucher, and their as- Corporators.

Corporate powers. associates, be and they are hereby authorized, empowered and licensed to continue, keep and maintain a ferry across the Mississippi river from a point on the east bank of the same, commencing on the northern point on the bank of said Mississippi river, to the southern point to which the grant of a ferry to George W. Sayres and associates was made in 1857, by an act entitled "An act to establish a ferry therein named," approved February 18, 1857, extends south from the mouth of Cedar creek in Garden Plains township, to the northern point of the grant made to the Albany and Camanche Ferry Company: *Provided*, that this grant from said mouth of Cedar creek in said Garden Plains township, may extend to said northern point of Albany and Camanche ferry, for the distance of two miles, or so much of said distance as may not exceed two miles between said points, and to the city of Clinton on the opposite side of said river, in Clinton county, Iowa; and that the said Charles H. Toll, John C. Bucher, and their associates, heirs and assigns, shall have the exclusive right of continuing, keeping and maintaining said ferry across said river, and to have and receive all the emoluments, advantages and profits arising from the same, during the period of twenty years, any law to the contrary notwithstanding.

Privileges. § 2. This act shall be deemed a contract between the said Charles R. Rood, Charles H. Toll, John C. Bucher, and their associates, heirs and assigns, and the state of Illinois, that the said Charles R. Rood, Charles H. Toll, John C. Bucher, their associates, heirs and assigns, on their [?] in consideration of the privileges granted in the foregoing section, shall keep and maintain said ferry according to the laws of the state of Illinois regulating ferries; but it is further provided, that the ferry boat shall be of good size and substantially built, and propelled by steam power or horse power.

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

APPROVED March 27, 1869.

In force March
10, 1869.

AN ACT to establish two ferries across the Kaskaskia river.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That John T. McBride, and his associates, heirs and assigns, are hereby authorized to establish two ferries across the Kaskaskia river; one in section five or eight, and the other in section sixteen, in township four south, range seven west, of the third principal meridian, Randolph county, Illinois, and may charge, have and receive any rate of tolls for ferriage

Corporate powers.

upon the same which may now or hereafter be fixed by the county court of Randolph county. They may establish a ferry at either or both of said points, as to them the public convenience may seem to require; shall pay upon each of said ferries, such taxes as may be fixed from time to time by the county court of Randolph county, which may be paid in labor on roads leading to said ferries.

§ 2. The said John T. McBride, his associates, heirs and assigns, shall have the right to make all the necessary embankments and all other improvements that he or they may deem necessary and proper to insure the safety and convenience of persons and property crossing at said ferries, and for the same object they may lay out and open up any new roads wherever they can get permission from the owners of lands, and have plats made of the same, which roads when accepted by the county court shall be considered public highways. The said McBride, his associates, heirs and assigns, shall have the exclusive ferry privilege for one mile above and below each of said points, for a period of twenty years: *Provided*, they put a good boat or boats upon the same. Improvements.

§ 3. That sections three, four, five, eight, nine, eleven, twelve and sixteen, of chapter forty-two of the Revised Statutes of 1845, in relation to toll bridges and ferries, are here referred to and made a part of this act, so far as said sections are applicable to ferries. This act is declared to be a public act, and to be in force from and after its passage. Act to apply.
When act to take effect.

APPROVED March 10, 1869.

AN ACT to provide for a ferry across the Kaskaskia river, between New Memphis and Bridgeport, and also a bridge. In force March 10, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That John Killenberg, and his associates, heirs and assigns, shall have the privilege of establishing a ferry, and operating the same for twenty years from the passage of this act, across the Kaskaskia river, at a point on or near the public road leading from New Memphis, in Clinton county, and Bridgeport, in the county of Washington, in this state. Establish ferry.

§ 2. The parties operating said ferry shall at all times keep a good ferry boat, and a sufficient number of hands to afford a safe and speedy passage to all persons wishing to cross said river where said ferry is established, with their teams, stock, carriages, and otherwise, whenever practicable. Boats.

§ 3. Said party shall also be authorized to build a bridge at such place, across said river, and may charge such toll Build bridge.

for crossing said bridge and for crossing said ferry, as may be established by order of the county court of Washington county aforesaid. And the said county court of Washington county may also levy and collect, for the franchise herein conferred, such tax or license on said ferry and bridge, annually, as they shall adjudge equitable, and not higher than on other ferries from said county across said river; the one half of such tax or license to be paid annually by the person or persons operating said ferry, [in] the said county of Washington, and the other half to the county of Clinton aforesaid: *Provided*, that said bridge shall be so constructed as not to interfere with the free navigation of said river with boats and rafts.

Limit of time.

§ 4. In case said ferry shall be fully established and operated within six months after the passage of this act, no other private toll bridge or ferry shall be granted to any other person or persons, to be operated within five miles of the same, above or below.

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

APPROVED March 10, 1869.

In force March 4, 1869. AN ACT to establish a ferry across the Mississippi river at the town of Keithsburg.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That David Lloyd, his heirs and assigns, be and they are hereby authorized, empowered and licensed to establish and keep a ferry, for and during the term of twenty-five years from and after the passage of this act, across the Mississippi river, between the town of Keithsburg, in Mercer county, and the place known as Prairie Point, or the most convenient and desirable point of landing on the opposite shore in Iowa, during which time no license shall be granted to any other person or persons, or body corporate, to establish a ferry, or convey passengers or persons across said river, within three miles of Keithsburg, and the said before named place on the opposite shore.*

Boats.

§ 2. The said David Lloyd shall keep good and sufficient boats for the speedy and safe transportation of passengers, teams, horses, cattle, and other animals, as well as goods and effects belonging to or in the care of passengers, and shall furnish said boats with men of suitable strength and skill to manage them properly, and shall charge and receive such rates of ferriage as may be allowed by the county court or proper authorities of said Mercer county.

And it is further provided that the ferry boat to be used on said ferry, shall be of good size and dimensions, and substantially built, and propelled by steam or horse power.

§ 3. The said David Lloyd shall pay such annual tax as Taxation. may be imposed on said ferry for state, county and town purposes, and in the management and regulations of said ferry shall be governed by and according to the laws of the state of Illinois regulating ferries. Also, it is hereby further provided that the said David Lloyd shall have sufficient time to procure said boat and equipage for said ferry after the passage of this act, and after the making of a suitable landing and road to the landing on the said opposite shore.

§ 4. The said David Lloyd shall be entitled to the benefits Opposition. of the forty-second chapter of the Revised Statutes in regard to ferries and toll bridges, and should any person or persons, or body corporate hereafter licensed, or without license, run and land a ferry boat at said points before named, they shall be subject to and incur the penalties and forfeitures given in said forty-second chapter, which may be recovered by the said Lloyd, as therein provided.

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

APPROVED March 4, 1869.

AN ACT to establish a ferry across the Mississippi river, in Monroe county. In force March 27, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Stephen W. Miles, his heirs and assigns, are authorized and empowered to establish and maintain a ferry across the Mississippi river, from any lands now owned by the said Stephen W. Miles, in township two (2) south, range eleven (11) west, in Monroe county, and between the said lands on the Illinois shore and the Missouri shore, at or near the town of Kimswick. Establish ferry.

§ 2. The said Stephen W. Miles, his heirs and assigns, Boats, rates, etc shall at all times keep at the said ferry such boats and means of transportation (which shall be safe and expeditious) as the public convenience and travel shall demand and justify; and the county court of said county is hereby prohibited from granting any license or privilege to transport persons or property across the Mississippi river from or at the lands of the said Stephen W. Miles, in the township aforesaid, but may fix the rates of ferriage on said ferry; and until the rates are so fixed, reasonable rates of ferriage may be charged.

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

APPROVED March 27, 1869.

In force June 19, 1869. AN ACT to establish a ferry across the Mississippi river at Moline, in the state of Illinois, to run to the opposite shore in the state of Iowa.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Samuel W. Weaver and Hiram F. Sickles, their heirs and assigns, shall have the exclusive right, within the limits hereinafter mentioned, for the term of twenty (20) years, to establish, maintain and operate a horse or steam ferry boat from the town of Moline, in Rock Island county, Illinois, to the Iowa shore, in Scott county, Iowa, from any point on the Illinois shore, above the head of the island of Rock Island, within two miles, to any point on the Iowa shore between the limit of one-half mile below a parallel line across the river at the head of the island of Rock Island, and two and a half miles above said line.

§ 2. The said Samuel W. Weaver and Hiram F. Sickles, their heirs and assigns, shall, at all proper and seasonable hours, when the river can be navigated with safety, during the term aforesaid, keep a good and substantial boat, to be propelled by horse or steam power, to transport across the river all persons, whether on foot or on horseback, wagons and teams and all kinds of stock and other property demanding to be crossed at said ferry, at all times, except as above named, and shall not delay at either shore a longer time than one hour when persons are waiting to be crossed; and upon failure or neglect to comply with the aforesaid provisions, shall be liable for all damages incurred by reason of such neglect.

§ 3. The said Samuel W. Weaver and Hiram F. Sickles, their heirs and assigns, shall be allowed to charge and receive such rates of ferriage, and no more, as shall be prescribed by the county or town authorities having jurisdiction over the same, to be fixed from time to time, as they shall determine.

§ 4. That the said Samuel W. Weaver and Hiram F. Sickles, their heirs and assigns, shall keep a sufficient number of hands to manage said ferry with safety, and to assist in facilitating the crossing said river, and such small water crafts as may be necessary for the same.

§ 5. That should the boat or boats used in running and operating said ferry, by accident or otherwise, be rendered unsafe or unfit for use as a ferry, a reasonable time will be

given to repair or replace the same; but in no event shall such ferry be withdrawn (when the same can be run), for a period of more than three months at any one time, without forfeiture of all privileges under this act.

§ 6. The said Samuel W. Weaver and Hiram F. Sickles, their heirs and assigns, shall furnish and employ such boats and other appliances for safe and proper ferriage contemplated by this act, within two years from and after its passage. Otherwise all privileges and immunities herein recited shall be null and void and of no effect.

APPROVED March 10, 1869.

AN ACT to incorporate the Muscatine Ferry Company.

In force March
29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That S. G. Stein, his associates and successors, known as the "Muscatine Ferry Company," are hereby created a body corporate and politic, with power to sue and be sued, contract and be contracted with, plead and be impleaded, in all courts of law in this state and elsewhere, and shall have exclusive right and privilege to keep, maintain and run a steam ferry across the Mississippi river, at some convenient and practicable point in the county of Rock Island, Illinois—opposite the city of Muscatine, in the state of Iowa, and the said city, for and during the term of twenty-five years, from and after the passage of this act—subject, however, to such conditions and rates of ferriage as may be imposed upon said ferry company by the lawful authorities of the city of Muscatine and the board of supervisors of Rock Island county.

Corporate name
and powers.

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

APPROVED March 29, 1869.

AN ACT to establish the North Caledonia Ferry Company.

In force April
16, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Hiram Boren, and his associates, heirs and assigns, be and they are hereby constituted a body corporate and politic, by the name and style of "The North Caledonia Ferry Company," and by that name shall, in law, be capable of suing and being sued, pleading and being impleaded, answering and

Corporate pow-
ers.

being answered unto in all courts and places whatsoever; may have and use a common seal, and may alter and change the same at pleasure; and, in their corporate name, shall be capable, in law, to purchase, hold, use and convey any estate, real, personal or mixed, that may be necessary for the use of said ferry.

Establish ferry. § 2. That said corporation is hereby authorized and empowered to establish and maintain a ferry over the Ohio river to the state of Kentucky, within the limits of the town of North Caledonia, in the county of Pulaski, in this state.

Amount of capital stock. § 3. The capital stock of said company shall be twenty-five hundred dollars, which shall be divided into shares of fifty dollars each, which shall be taken and held as personal property. The capital stock of said company may be increased when the stockholders shall deem such increase necessary for the object herein contemplated.

Directors to control ferry. § 4. The management of the company shall be in the hands of at least three directors, which number of directors may be increased by the by-laws of the company.

Limit of time. § 5. Said company shall, within four years from the passage of this act, establish and maintain a hand, horse or steam power ferry boat of sufficient capacity to accommodate the public, at the point named in section (2) of this charter, and any failure of said company, after the establishment of said ferry, at any time, to keep such ferry boat to accommodate the public for the space of six months, shall work a forfeiture of this charter.

Ferry rates. § 6. When the said ferry is established, it shall and may be lawful for the said company, their assigns and successors, to demand and receive from all persons crossing said ferry, such rates of ferriage as may be established and allowed by the county clerk of Pulaski county: *Provided* such rates are not below the rates allowed to similar ferries on the Ohio river, in the state of Illinois.

Payment of stock. § 7. The board of directors shall have power to require the payment, from time to time, of such sums on each share of stock, as they may deem necessary, and in their by-laws declare what shall constitute a forfeiture of stock.

General laws. § 8. The ferry hereby granted shall be, in all respects, governed by the general laws regulating ferries, toll bridges and turnpike roads, so far as they are applicable, except as herein otherwise provided.

§ 9. This act shall be in force from and after its passage, and the rights and franchises granted by it, shall continue for twenty-five years; after such time the legislature may alter or amend the same as the public good may require.

APPROVED April 16, 1869.

AN ACT to authorize St. Clair county to establish a ferry across the Mississippi river. In force March 11, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Samuel Stookey, Edward Abend, Andrew Eisenmeyer, Risdon A. Moore and Joseph Penn, of St. Clair county, be and are hereby appointed commissioners, and are required, after having taken an oath faithfully to execute and discharge the duties imposed on them by this act, to examine the ground and locate a road and ferry landing between the terminus of any street, in the city of East St. Louis and the Mississippi river, opposite the city of St. Louis, Missouri; and the said road and ferry landing shall be located five hundred feet wide, on the most eligible ground for said purpose, doing as little damage as possible to any building or improvements on said ground; and said road and ferry landing when so located, and the report of said commissioners filed in the office of the clerk of the county court of St. Clair county, shall be and remain a public highway forever.

Corporators.

Corporate powers.

§ 2. The county court of said county of St. Clair, be and the same are hereby authorized and empowered to cause the said land on which said road and ferry landing shall have been so located, according to law, to be condemned, and to pay to the legal owner or owners of said land, the damage thereby sustained by said owner or owners; and after said land is so condemned, and the damages paid by said county, the said county court shall have power, by their agent or otherwise, to enter upon said land so condemned, and establish a ferry across the Mississippi river; and the county court may either carry on said ferry for the county itself, or it may lease the same for any term not exceeding ten years, at any one time, to any person or persons or corporations, on such terms as said court may deem reasonable, they, the said court, reserving the power to regulate the tolls of said ferry; but nothing in this act shall be so construed as to authorize the said county court to sell the said ferry.

Power and duty of county court.

§ 3. That for the purpose of compensating the legal owner or owners for land thus taken and appropriated for public use, it shall be the duty of the county court of said St. Clair county, to cause the sheriff of said county to summon twelve good and lawful men, who shall be of kin to neither of the legal owner or owners of said land, who, being by said sheriff duly sworn to inquire of the damages, shall, in view of the land, certify the amount of damages, which such owner or owners may sustain, by reason of the location of the road and ferry landing as aforesaid; which certificate or verdict shall be signed by said jury, and shall

Compensation owners of land.

Report of jury
of inquest.

be filed in the office of the clerk of the county court of St. Clair county. The said certificate or verdict shall contain the metes and bounds of the land taken and appropriated for the road and landing, as aforesaid, and if either the owners of said land or the county court of said county of St. Clair shall be dissatisfied with such assessment of the value of the land formed by the jury, as aforesaid, either of them may appeal to the circuit court of the county of St. Clair.

May borrow
money.

§ 4. The county of St. Clair is hereby authorized and empowered to borrow money, in such an amount as may be necessary to pay the amount of the damages assessed for the said roadway and landing, and all necessary expenses connected therewith.

Privileges of
county court.

§ 5. That for the purpose of carrying out the purposes of this act—the establishing of a ferry across the Mississippi river, opposite the city of St. Louis, Missouri—the said county court of St. Clair county, Illinois, shall have all the powers and privileges, and subject to all the restrictions of “The Wiggins’ Ferry Company,” as now created by law.

§ 6. This act to take effect from and after its passage.
APPROVED March 11, 1869.

In force March
27, 1869.

AN ACT to establish a ferry in St. Clair county.

Ferry franchise.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Francis H. Cobb, his heirs and assigns, are hereby granted a ferry franchise, to establish and maintain a ferry from an island in the Mississippi river, west of the western line of survey, No. 759, in the county of St. Clair, state of Illinois, to the Missouri shore and the accretions thereto; said ferry privilege to continue twenty years, and rates of toll to be regulated the same as rates of similar franchises.*

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

APPROVED March 27, 1869.

In force March
28, 1869.

AN ACT to established a ferry over Spoon river at the town of Waterford.

Corporate pow-
ers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Edward Ackerson, his heirs and assigns be, and they are hereby authorized to establish a ferry and keep the same in operation for the term of fifteen years from and after the passage*

of this act, across Spoon river, from the town of Waterford, in Fulton county, to the opposite shore.

§ 2. It shall be the duty of said Ackerson, his heirs and assigns, to keep on hand, at all times, good and sufficient boats, furnished with persons of suitable strength and skill, to insure a safe and speedy passage at said ferry. Duty of owners

§ 3. It shall be lawful for the owners of said ferry to demand and receive fees for ferriage, at the following rates, to-wit: For every four-wheeled wagon or carriage, with four horses or oxen, in one team, thirty five cents; for every wagon or carriage with two horses or oxen, twenty-five cents; for one horse and buggy, fifteen cents; for one man and horse, ten cents; for every person on foot, five cents; for horses or cattle in droves, five cents per head; for every head of sheep or hogs, two cents. Ferry rates.

§ 4. The board of supervisors of said county of Fulton shall not, during the existence of this act, authorize the establishment of any new ferry within three miles of the ferry hereby established, unless said Ackerson, his heirs or assigns, shall fail to comply with the provisions of this act: *Provided*, that the board of supervisors of said county of Fulton may, at any time after the expiration of two years, from and after the expiration of two years from the passage of this act, establish a free ferry at the said town of Waterford: *And, provided, further*, that the board of supervisors of said county of Fulton may alter or change the rates of toll herein allowed, whenever the public good may require such change. No new ferry.

§ 5. The ferry hereby established shall, in all respects, be governed by the laws regulating ferries, toll bridges and turnpikes. This act to take effect from and after its passage. Laws to govern.
When this act
to take effect.

APPROVED March 26, 1869.

AN ACT to incorporate the Union Transfer Company.

In force April
9, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Washington T. Miller, S. W. Temple, J. F. Alexander and George Bickelhaupt, sen., and such other persons as may become stockholders in the corporation hereby created, are hereby constituted a body corporate, by the name of "The Union Transfer Company;" and, by that name, are hereby made capable in law and in equity of suing and being sued, also of making and using a common seal and altering the same at pleasure. Corporators.
Name and style.

Amount of capital stock. § 2. The capital stock of said company shall be fifty thousand dollars, to be divided into shares of one hundred dollars each; and the same may be increased, at the option of the stockholders, to an amount not exceeding five hundred thousand dollars.

Election of directors. § 3. Said company shall be managed by a board of five directors, who shall be elected, annually, by the stockholders of said company—each share entitling the owner thereof to one vote. The first board of directors shall be elected by said stockholders as soon as twenty-five thousand dollars of the capital stock of said company shall have been subscribed, at such time and place as the corporators hereinbefore named, or their assigns, shall designate. Said directors shall have power and authority to elect one or more presidents, one or more secretaries, one or more treasurers, and other necessary officers, and to make all needful by laws, for the government of said company. The said company shall be allowed to charge and receive such rates of ferriage as shall be prescribed by the county court of Madison county, to be fixed once in each year.

Duties of. Boatsmen. § 4. Said company shall have authority to transport persons and property across the Mississippi river, at and from any point or place on said river, within three miles north of the south boundary line of Madison county, in this state—said boundary line running east from said river—and, for this purpose, may employ omnibuses and wagons, or well appointed steam ferry boats, barges, or a combination of both these methods of conveyance, as may be necessary.

Transportation. § 5. It shall be lawful for said company to make contracts with any railroad company or companies, for the transportation across the Mississippi river, within the limits aforesaid, of persons and property transported or to be transported over said railroad.

May purchase, hold and convey real estate. § 6. The said company shall have power to acquire, by lease or purchase, real estate, within the limits aforesaid, for the erection thereon of necessary offices, warehouses, stables, stock-yards, etc., not exceeding five acres in all. If such real estate cannot be acquired by voluntary purchase from the owners thereof, on terms mutually satisfactory to said company and the owners of such lands or real estate, then said company shall have power to condemn such lands or real estate, under any law or laws of the state of Illinois for condemning lands for public uses, including the law of June 22, 1852. And the said company shall have power to construct railways over any part of their grounds, and to connect the same with any other railroad track.

Section 11 of an act repealed. § 7. The eleventh section of an act entitled "An act to incorporate the Madison County Ferry Company," approved February 3, 1840, is hereby repealed, and so much of the act referred to in this section as may conflict or be inconsistent with this act is also hereby repealed: *Provided,*

that this act and everything herein contained shall be void, unless the corporation hereby created shall, within two years next after the passage of this act, provide, have and keep in readiness suitable and necessary boats for the safe and speedy transportation of persons and property across said river at said ferry: *And, provided, further*, that the right vested in said corporation by this act to establish and maintain a ferry across said river shall extend up and down the same only one half mile, and no further.

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

APPROVED April 9, 1869.

AN ACT to establish a ferry across the Wabash river, at the town of York, in Clark county, Illinois. In force March 25, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Stephen Pritchard, his heirs and assigns, be and are hereby authorized to establish and keep a ferry across the Wabash river, at a point within the limits of the town or village of York, in Clark county, Illinois, to the opposite shore, during the period of thirty years from the passage of this act; during which period of thirty years no license shall be granted by the authorities of Clark county, Illinois, to any person or persons or body corporate to establish or keep a ferry within ten miles of said town or village, either above or below the said town. Corporate powers.

§ 2. The said Stephen Pritchard, his heirs and assigns, shall, at all times, keep good and sufficient boats, for the speedy passage and safe transportation of passengers, teams, horses, cattle and other animals, as well as the goods and effects belonging to passengers, and shall furnish such boats with men of sufficient skill and strength to manage them. Boats, etc.

§ 3. Stephen Pritchard shall execute a bond, in a sufficient sum, to the people of Clark county, Illinois, for the faithful performance of the duties required of him by the second section of this act; which bond shall be approved by the clerk of the county court of Clark county. Bond and security.

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

APPROVED March 25, 1869.

FERRIES—NEW PRIVILEGES.

In force March 15, 1869. AN ACT to amend an act entitled "An act to establish a ferry across the Mississippi river opposite the city of Alton, in the state of Illinois," approved February 28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Robert C. Berry, his heirs and assigns, shall have the exclusive right to establish, maintain and operate a ferry, from the city of Alton, in Madison county, Illinois, to the Missouri shore, in St. Charles county, Missouri, from any place on said Illinois shore between the mouth of Hop Hollow and a point not exceeding five miles down the river therefrom, for the period of ten years from the passage of this act.

Corporators.

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

APPROVED March 15, 1869.

In force Feb. 19, 1869. AN ACT to amend the charters of the Cairo City Ferry Company and of the Valley Ferry Company, and reduce the acts incorporating the same into one act.

Preamble.

WHEREAS, the Cairo City Ferry Company, established by an act approved February 13, 1857, and the Valley Ferry Company, established by an act approved March 6, 1867, have, by mutual agreement, united in establishing and maintaining ferries across the Mississippi and Ohio rivers, at Cairo, to the states of Kentucky and Missouri, and have become virtually consolidated by an interchange of stock between the several shareholders in each company, but to preserve their powers and franchises, it is now necessary to maintain the separate organization of each company; therefore,

Consolidation
of ferry compa-
nies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the two ferry companies above named are hereby consolidated and joined together, under the style and name of "Cairo City Ferry Company;" and that, henceforward, all the rights, privileges, powers and immunities granted or in any way belonging to either of said companies, are hereby conferred on and vested in said Cairo City Ferry Company, as fully and completely as if the same had been originally granted and given in one charter to the said last named company.

§ 2. The capital stock of said company shall be fifty thousand dollars, which may be increased, by a vote of the stockholders, to one hundred thousand dollars. And said stock shall be divided into shares of fifty dollars each.

§ 3. The said Cairo City Ferry Company are [is] hereby authorized and empowered to establish and maintain ferries over the Ohio river to the state of Kentucky, and over the Mississippi river to the state of Missouri, from any points within the corporate limits of the city of Cairo, in Alexander county, in this state. One or more ferries.

§ 4. This act shall be in force from and after its passage, and the rights and privileges granted by it shall be exclusive for twenty-five years, after which period the legislature may alter, amend or repeal it as the public good may require.

APPROVED February 19, 1869.

AN ACT to authorize the consolidation of the ferry companies named therein. In force March 29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Farmers' Ferry Company and the Madison County Ferry Company, corporations created and organized under the laws of this state, be and they are hereby authorized to consolidate their several properties and franchises under the name of "The Madison County Ferry Company;" and all the rights and privileges granted to said Farmers' Ferry Company and the said Madison County Ferry Company shall be vested in and exercised by said consolidated company, within the territorial limits prescribed in the act incorporating said Madison County Ferry Company, and the several acts amendatory thereof, as well as within the territorial limits prescribed in the act incorporating the Farmers' Ferry Company: *Provided*, that the exclusive right granted to the Farmers' Ferry Company shall not be extended over greater territory than now prescribed in the act incorporating said Farmers' Ferry Company. Consolidation.

§ 2. The capital stock of said consolidated company, and the number and succession of its directors, and all matters pertaining to the government and management of its affairs, shall be and remain as now provided in the act incorporating said Madison County Ferry Company and the acts amendatory thereof. Capital stock.
Directors.

§ 3. It shall be the duty of the secretary of said Madison County Ferry Company to file in the office of the secretary of state a certificate of the consolidation of said com- Duties of secretary.

panies as herein authorized, within sixty days after said consolidation shall have been made.

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

APPROVED March 29, 1869.

In force March 31, 1869. AN ACT to revive an act entitled "An act to establish the Massac and McCracken Ferry," approved February 15, 1865.

Act revived.

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 establish the Massac and McCracken Ferry," approved February 15, 1865, is hereby revived; and all the franchises, powers and privileges granted by said act shall be and remain in Jonathan C. Willis, his heirs and assigns, notwithstanding any non-user that may have happened before the passage of this act: *Provided,* that the said Jonathan C. Willis, his heirs or assigns, shall hereafter comply with the provisions of said act.

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

APPROVED March 31, 1869.

FIRE COMPANIES.

In force April 13, 1869. AN ACT to incorporate the Fire Engine and Hose Company Western Number One, of the city of Rock Island.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That George Schneider, Jacob Wollenhaupt, Ernest Strate, Christian Haberlach, Jacob Haisell, John Schlemmer, their associates and successors, are hereby created a body corporate and politic, under the name and style of "The Fire Engine and Hose Company Western, Number One, of the City of Rock Island," with power to sue and be sued, plead and be impleaded, in all courts of law and equity.

Corporators.
Name and style.
Purchase, hold and convey real estate.

§ 2. Said corporation is hereby authorized and empowered to purchase, hold, sell and convey only so much real estate, in the city of Rock Island, as may be necessary for a suitable building lot for an engine house; and, also, to

purchase, hold, sell and convey the proper and necessary fire engines, hose, hose carts and other appurtenances of a fire engine and hose company.

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

APPROVED April 19, 1869.

AN ACT to incorporate the Independent Hook and Ladder Company Number One, of the city of Pekin, Illinois. In force March 20, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William Weiss, William Steinseiffer and Ferdinand Lehman, and their associates and successors, and all other persons who may hereafter associate with them, be declared a body politic and corporate, by the name and style of "The Independent Hook and Ladder Company Number One, of the city of Pekin, Illinois," and, by that name, they and their successors shall and may have succession, shall be capable of suing and being sued, contract and be contracted with; may have and use a common seal, and the same may alter or change at pleasure; and they and their successors, by their corporate name, shall, in law, be capable of taking, receiving, purchasing and holding real and personal estate, may sell and convey the same; to make by-laws for the management and control of its officers and members, not inconsistent with the constitution and laws of this state or of the United States; to elect or appoint the officers and agents of said company, for the management of its business. Corporators.
Name and style
May hold and convey real estate.

§ 2. The constitution and by-laws now adopted by said company shall continue in force until changed by said company; and all personal property and effects, of whatever kind, now held by said company, or any person in trust therefor, shall, by virtue of this act, vest in and become the property of the corporation hereby created. Vested property

§ 3. The company so incorporated may, annually or oftener, elect from its own members such officers and managers as the company may deem proper, at such times and places, and in such manner, and with such powers expressed and duties imposed on said officers and managers as said company, by its by-laws, may direct; and in case it shall happen that an election of officers and managers shall not be made on the day designated by the by-laws, it may and shall be lawful, on any other day, to hold an election of such officers and managers. Officers.
Annual election.

§ 4. The company incorporated by this act shall be capable of taking, holding and receiving any property, real Power to hold real and personal property.

or personal, by virtue of any gifts, purchase, devise or bequest contained in any last will and testament of any person whatsoever, or in any other manner.

May borrow money.

Issue bonds.

§ 5. *Be it further enacted*, That said company shall have power to issue bonds and negotiate the same, and borrow money and mortgage their property, both personal and real and mixed, for the payment of said bonds so negotiated or money so borrowed: *Provided*, that nothing in this act contained shall be held or construed to confer to [?] banking privileges upon the company hereby created.

Evidence and proof of act.

§ 6. The constitution, by-laws and resolutions of said company shall be in full force when recorded in the records of said company, and on the production and proof of such record shall be received as evidence of the facts therein stated in all courts of justice and upon all lawful occasions.

Treasurer.
Bond given.

§ 7. Said company may require bond and satisfactory security of its treasurer and other officers intrusted with moneys or other property, for the faithful performance of his or their duties as such officers.

Former acts of trustees legal.

§ 8. All acts of the persons hereinbefore named as incorporators, and the acts of any number of them, done as by the trustees of the Independent Hook and Ladder Company Number One, of Pekin, Illinois, and which were necessary to be done to carry into effect the objects of said company, are hereby legalized; and all conveyances of property, real and personal, which have heretofore been made to and by any number of said persons as trustees of the Independent Hook and Ladder Company Number One, of Pekin, for the same purpose, are hereby declared as valid and effectual as if made by the corporation hereby created. After the passage of this act, the title to all property now held by the trustees of the said company, or any other persons for the said company, shall be vested in the corporation created by this act.

Title to property of trustees.

Objects of the corporation.

§ 9. The objects of this company are to protect the property in the city of Pekin against the hazards of fire, and to assist and relieve the members of the company when in need and distress.

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

APPROVED March 30, 1869.

In force March 30, 1869. AN ACT to incorporate Rescue Fire Company Number Two, of the city of Rock Island.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That P. J. Kennedy, John W. Newton, Philip Hiffarm, Thomas Boll-

Corporators.

man, S. S. Hall, Joseph Brown and Walter Kennedy, and their associates and successors, be and they are hereby created a body corporate and politic, under the name and style of "Rescue Fire Company Number Two, of the City of Rock Island, Illinois," with full power to sue and be sued, contract and be contracted with, plead and be impleaded, in all courts of law in this state and elsewhere. Name and style.

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

APPROVED March 30, 1869.

AN ACT to incorporate the Springfield Union Relief Fire Company, No. 4. In force March 29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Peter Lauterbach, John Lauterbach, Charles Steiger, Wm. L. Gardner, John Keefner, George Reisch, jr., Frank Reisch, jr., Charles Merklin, Daniel Snider, and their associates and successors, are hereby created a body politic and corporate, by the name of "Springfield Union Relief Fire Company, Number Four;" and by that name shall have perpetual succession, with full power to sue and be sued, to plead and be impleaded, answer and defend in law and equity, in all courts of justice whatsoever; to contract and be contracted with; to have, hold and enjoy, by gift, devise, grant, purchase or otherwise, real and personal estate, not to exceed at any one time the value of fifty thousand dollars, and sell or dispose of the same at pleasure; to have and use a common seal, and alter the same at pleasure. Corporators.
Name and style.
Corporate powers.

§ 2. The object of this company shall be the extinguishment of fires in the city of Springfield. Objects of the corporation.

§ 3. The said company shall have power to make or adopt a constitution and by-laws, for the government and maintenance of said company, as they may from time to time consider fit and proper, not inconsistent with the ordinances of the city of Springfield regulating the fire department, the laws of this state or of the United States, and to repeal and alter the same; which constitution and by-laws, when made and adopted, shall be binding upon the members of the company, and may be enforced against them, either by suit in the name of the company, or by forfeiture of the membership, or both. General powers.

§ 4. The constitution and by-laws of the said company shall be entered, by an officer of the company, in a book kept for that purpose; which said book shall be *prima facie* evidence of the matter therein contained in all courts of justice or otherwise. Constitution and by-laws prima facie evidence.

Exempt from
jury duty, etc.

§ 5. The members of said company shall be exempt from poll tax for highway and street labor, and from serving as jurors, and from the performance of military duty, in all cases where such member or members have served five years in the fire department of said city.

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

APPROVED March 29, 1869.

FUEL COMPANY.

In force March
29, 1869.

AN ACT to incorporate the North Western Liquid Fuel Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Henry W. Blodgett, Thomas W. Mizner, Henry R. Foote, James H. Howe, and Edwin L. Buttrick, and their associates and successors, be and they are hereby created and declared a body politic and corporate, under the corporate name of "The North Western Liquid Fuel 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.

Corporate name
and powers.

Objects of the
corporation.

§ 2. The business of said company shall be the manufacture and sale of the apparatus necessary to the application of the several inventions of Henry R. Foote for burning hydro-carbon oil or liquid fuel to the generation of heat or steam; to grant licenses and sell rights to use such inventions, and to manufacture, buy and sell hydro-carbon oil or liquid fuel. The principal place of business of said company shall be in Cook county, and their general office shall be in the city of Chicago.

Capital stock.

§ 3. The capital stock of said company shall be five hundred thousand dollars, divided into shares of one hundred dollars each; but said company shall have the right to increase the capital stock thereof to a sum not exceeding three millions of dollars.

First board
of directors.

§ 4. The incorporators named herein shall constitute the first board of directors, with power to choose a president, secretary and treasurer of said company, and to appoint such agents as shall be necessary to carry on its busi-

ness. The stockholders of such company may, at their first meeting or at any subsequent meeting, enact such by-laws, fixing the time and manner of electing directors and regulating the management and affairs of such company, as they shall deem expedient, not inconsistent with the laws of this state or of the United States.

§ 5. The board of directors is hereby authorized to Patent rights. pay any sum not exceeding five hundred thousand 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 holder thereof be held Stock not liable to assessment. individually liable for any indebtedness of said company. The stock of said company, not issued in payment for patent rights, 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.

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

APPROVED March 29, 1869.

GAS COMPANIES.

AN ACT to incorporate the Bunker Hill Gas Light and Coke Company. In force March 30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That James Corporators. T. Pennington, Gaurdner Case, H. M. Hutchinson, C. C. Campbell, P. C. Higgins, and T. A. Delam, and their associates, successors and assigns, be and they are hereby created a body politic and corporate, by the name and style of "The Bunker Hill Gas Light and Coke Company;" and, by that name, they and their successors shall be capable in Corporate powers. 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 the construction, extension and usefulness 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.

Objects of the
corporation.

§ 2. The corporation hereby created shall have full power and authority to manufacture and sell gas, coke and tar, to be made from any and all substances or a combination thereof from which inflammable gas, coke and tar are usually obtained, and to be used for the purpose of lighting the town of Bunker Hill, in the county of Macoupin, or the streets thereof, and any buildings, manufactories and public places or houses therein contained, and to erect all necessary buildings, works and apparatus, and, by and with the consent of the corporate authorities of said town of Bunker Hill, to lay pipes for the purpose of conducting the gas in any of the streets, avenues or alleys of the said town, provided that no permanent injury or damage shall be done to any of said streets, avenues or alleys. The real estate which this corporation is entitled to hold shall not exceed in value fifty thousand dollars, and it shall be lawful for the said company to sell and convey any estate it may possess, when not required for its own use.

Amount
capital stock.

§ 3. The capital stock of said company shall be one hundred thousand dollars, to be divided into shares of fifty dollars each, to be subscribed and paid for in such proportions as shall be prescribed by the laws and rules for the regulating the affairs of said company; which by-laws, rules and regulations (provided the same shall not be inconsistent with the laws of this state or of the United States) the said company, by its directors, are hereby empowered to make and to change or revise at pleasure, and provide for the management and disposition of the stock, property and real estate of said company, the duties of the officers, agents and employees, the number and selection of directors and all other business pertaining to the affairs of said company; shall have the exclusive right and privilege of laying pipes in the public streets and alleys of said town of Bunker Hill, for the purpose of conducting gas, to be used for the purpose of illumination, for the period of twenty-five years from and after the passage of this act: *Provided, however,* that said company shall, within five years from and after the passage of this act, erect suitable and sufficient works and buildings to supply the central and well settled portion of said town and its inhabitants with gas for illuminating purposes.

Privileges.

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

APPROVED March 30, 1869.

AN ACT to incorporate the Carlinville Gas Light Company.

In force March
27, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Beatly T. Burke, Charles A. Walker, Charles W. Weer, Thaddeus L. Loomis, George H. Holliday, Joseph C. Howell and William Farrell, their associates, successors, heirs and assigns, be and they are hereby created a body corporate and politic, with perpetual succession, by the name and style of "The Carlinville Gas Light 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 whatsoever, with full powers to hold, acquire and enjoy all such real estate and personal property as may be necessary for the construction, extension and usefulness 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.

Corporators.

Name and style.
Corporate powers.

§ 2. The corporation hereby created shall have full power and authority to manufacture and sell gas, to be made from any and all the substances or a combination thereof from which gas is usually obtained, or any other substance which they may choose to employ in the manufacture of the same, for the purpose of lighting the city of Carlinville and any additions thereto, or the streets or avenues thereof, and any buildings, mills, manufactories, colleges, academies, churches and public places or houses contained therein, and to erect all necessary works and apparatus, and to lay pipes for the purpose of conducting the gas in any of the streets, avenues or alleys of said city.

Objects of the corporation.

§ 2. The real estate which this corporation is entitled to hold at one time shall not exceed in value one hundred thousand dollars; and it shall be lawful for said corporation to sell and convey any real estate it may possess, when not required for its own use.

Limit to purchase of real estate.

§ 3. The corporation hereby created, when organized, shall be under the direction of five directors—one of whom shall be elected president. The directors shall have full power to make all by-laws, rules and regulations, for conducting the works, the election of directors and the affairs of the company, and in all respects make all necessary provisions to carry into effect the provisions of this act; and may 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.

Board of directors.

§ 4. The capital of said company shall not exceed three hundred thousand dollars, divided into shares of one hundred dollars, to be subscribed and paid for as may be pre-

Capital stock.

scribed by the corporators above named—or their successors or assigns.

Privileges, etc.

§ 5. The said company shall have the exclusive right and privilege of laying pipes in the public streets and alleys and squares of the said city of Carlinville, for the purpose of conducting gas, to be used for the purpose of illumination, for the period of twenty-five years from and after the passage of this act: *Provided*, that said company shall, within five years from and after the passage of this act, erect suitable and proper works and buildings, to supply the well settled portion of said city with gas, for purposes of illumination. Said company shall have the power to borrow money, and may secure the payment of the same by deed of trust [or] mortgage.

§ 6. This act shall be taken and deemed a public act, and shall be construed liberally and beneficially, for the purposes herein specified and intended, and shall take effect from and after its passage.

APPROVED March 27, 1869.

In force March
27, 1869.

AN ACT to incorporate the Charleston Gas Light and Coke Company.

Corporato s.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That G. M. Mitchell, Eli Wiley, J. R. Cunningham, Joseph Dayton, W. S. Marshall, R. M. Parsons, G. W. Parker, J. H. Johnston, Isaac Winter, Daniel Parker, Charles Pinatell, J. A. Conley, R. S. Hodgen, and their associates, successors, heirs and assigns, be and they are hereby created a body corporate and politic, with perpetual succession, by the name and style of "The Charleston Gas Light and Coke 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 whatsoever, with full power to acquire, hold, occupy and enjoy all such real and personal estate as may be necessary and proper for the construction and extension and usefulness 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.

Name and style.

Corporate powers.

Objects of the corporation.

§ 2. The corporation hereby created shall have full power and authority to manufacture and sell gas, coke and tar made from any and all substances from which inflammable gas and coke and tar are usually obtained, and to be used for the purpose of lighting the city of Charleston or the streets thereof and public places or houses therein

contained, and to erect all necessary works and apparatus, and, with and by the consent of the corporate authorities of said city of Charleston, to lay pipes for the purpose of conducting the gas in any of the streets, avenues, public grounds or other places in said city: *Provided*, that no permanent injury or damage shall be done to any street, lane, avenue or highway of said city. The real estate which this corporation is entitled to hold shall not exceed in value ten thousand dollars; and it shall be lawful for the said company to sell and convey any real estate it may possess, when not required for its own use.

§ 3. The capital stock of said company shall not exceed two hundred thousand dollars, to be divided into shares of twenty-five dollars each, to be subscribed and paid for in such proportions as shall be prescribed by the by-laws and rules for regulating the concerns and affairs of said company; which by-laws, rules and regulations (not inconsistent with the laws of this state or the United States) the said company, by its directors, are hereby empowered to make and to change, alter and revise at pleasure, and provide for the management and disposition of the stock, property and real estate of said company, the duties of the officers, artificers and agents to be employed, the number and selection of directors, and all such other matters as pertain to the concerns, affairs and necessities of the company. Said company shall have the exclusive right and privilege of laying pipes in the public streets and alleys of said city, for the purpose of conducting gas, for purposes of illumination, for the period of twenty-five years: *Provided*, said company shall, within two years from and after the passage of this act, erect suitable buildings and works to supply said city and its inhabitants with gas as aforesaid.

§ 4. The said city of Charleston is hereby authorized and empowered to take and subscribe stock in said company to an amount not exceeding twenty thousand dollars: *Provided*, a majority of the legal voters of said city, at the annual election, shall so determine, the city council of said city having first given notice, at least ten days before said election, of the amount so to be subscribed by said city—said notice to be posted in four of the most public places in said city—to be given under the hand of the clerk of said city. If a majority of the said legal voters shall be in favor of the said city taking stock in said company, the city council shall, within three months from said election, issue the bonds of said city for the amount so voted to be subscribed and taken, in sums of one hundred dollars each, to be due and payable in not exceeding ten years, with ten per cent. interest from date, interest payable annually.

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

APPROVED March 27, 1869.

In force March
25, 1909.

AN ACT to incorporate the Dixon Gas Light Company.

Corporators.	<p>SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Jas. L. Camp, Henry T. Noble, Stephen S. Williams, Fred. A. Soule, James B. Charters, Samuel C. Eells, William H. Van Epps and James A. Hawley, and 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 Dixon Gas Light 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 whatsoever, with full power 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.</p>
Name and style.	
Corporate powers.	
Objects of the corporation.	<p>§ 2. The corporation hereby created shall have full power and authority to manufacture and sell gas, to be made from any or all of the substances or combination thereof from which inflammable gas is usually obtained, and to be used for the purpose of lighting the city of Dixon, or the streets thereof, and any building, manufactories, public places or houses therein contained, and to erect all necessary works and apparatus, and to lay pipes, for the purpose of conducting the gas in any or all the streets, avenues or alleys of said city: <i>Provided</i>, that no permanent injury or damage shall be done to any of said streets, avenues or alleys.</p>
Amount of capital stock.	<p>§ 3. The capital stock of said company shall be twenty-five thousand dollars, to be subscribed for and paid in such proportion as shall be prescribed by the by-laws and rules for the regulation of said company, and may be increased, at pleasure, in shares of one hundred dollars each.</p>
Privileges.	<p>§ 4. The said company shall have the exclusive right and privilege of laying pipes in the public streets and alleys of the said city of Dixon, to be used for conducting gas, for the purpose of illumination, for the period of twenty-five years from and after the passage of this act: <i>Provided, however</i>, the company hereby created shall establish gas works, for the purpose aforesaid, within two years from and after the passage of this act; and may borrow money, and for such purposes may issue bonds and mortgage its property, loan surplus funds it may have on hand, and take mortgage or mortgages on real estate, to secure the payment of the same.</p>
May borrow money.	

§ 5. This act shall be taken and deemed a public act, and shall be construed beneficially for the purposes herein specified or intended, and shall take effect from and after its passage.

APPROVED March 25, 1869.

AN ACT to incorporate the Du Quoin Gas Light and Coke Company, and to enable the city of DuQuoin to take stock therein. In force March 15, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Thomas Tyon, Isaac M. Neeley, B. D. Van Draver, Thomas H. Burgess, H. Clarke, Abram Mitchell, George W. Wall, George S. Smith, John H. Moberly, and their associates, be and they are hereby created a body politic and corporate, with perpetual succession, by the name and style of "The Du Quoin Gas Light and Coke 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 whatsoever, with full power 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 said company and the proper prosecution of the business hereinafter mentioned, and for the good government and management of said company; and may have and use a common seal, and the same may alter and renew at pleasure. Corporators.
Name and style.
Corporate powers.

§ 2. The corporation hereby created shall have full power and authority to manufacture and sell gas, to be made from any and all substances, or a combination thereof, from which inflammable gas is usually obtained, and to be used for the purpose of lighting the city of Du Quoin, in the county of Perry, in this state, and the streets thereof, and any buildings, manufactories, public places or houses therein contained, and to erect all necessary works and apparatus, and to lay pipes for conducting the gas, with the consent of the city authority, in and through any of the streets, alleys or avenues of said city: *Provided*, that no permanent injury or damage shall be done to any street, lane, avenue or highway in the city, nor to any public or private property therein. And said company shall, also, have power to manufacture or purchase and sell all such pipes, tubes, burners and fixtures, whatever, as are necessary for the use and burning of said gas. And said company shall have power to manufacture, sell and deal in coke and coal tar and all combinations thereof. The said Objects of the corporation.

corporation may hold real estate, not exceeding five acres in extent and not exceeding one hundred thousand dollars in value.

Amount of
capital stock.

§ 3. The capital stock of said company shall be thirty thousand dollars, and may be increased to not exceeding two hundred thousand dollars, and shall be divided into shares of fifty dollars each, to be subscribed and paid for in such sums and proportions as may be prescribed by the by-laws and regulations of said company; and said company may adopt all such rules, by-laws and regulations, as to them may seem proper and necessary, concerning all matters and things pertaining to the business of said company, and the election, appointments, number and duties of its directors, officers and agents. The said company shall have the exclusive privilege of laying gas pipes in the public streets and alleys of the said city of Du Quoin, for the purpose of supplying the said city of Du Quoin and its inhabitants with gas, for the purpose of supplying light for twenty-five years from and after the passage of this act.

City may take
stock.

§ 4. The corporation of the city of Du Quoin shall have the right to take and hold stock in the said company to the amount of not exceeding ten thousand dollars: *Provided*, said stock shall be taken within six months after notice shall be given to said city corporation by said company hereby created, requesting said city corporation to take such stock—though said city corporation may, at any time, afterwards take said stock, by and with the consent of the company hereby created—*Provided, also*, that said city corporation shall in no case take any such stock until the legal voters of said city shall have voted in favor thereof, at an election to be ordered by the city council; which shall be conducted in the same manner, generally, as the elections in said city for city officers; and if a majority of the voters of said city, voting at such election, shall vote in favor of taking such stock, then the city corporation may issue the bonds of the said city, payable in five years, bearing six per cent. interest, per annum, to such amount as may be necessary for the purchase of such stock.

§ 5. This act shall be a public act, and shall be so construed in all courts and places, and shall take effect and be in force from and after its passage.

APPROVED March 15, 1869.

In force March
29, 1869.

AN ACT to incorporate the Elmwood Gas Light and Coke Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That William J. Phelps, Addison L. Tracy, John Leet, Harlan P.*

Tracy, L. F. Jones, J. A. Vandervoort, G. H. Schimpff, James Lee, and their associates, be and they are hereby created a body corporate and politic, with perpetual succession, by the name and style of "The Elmwood Gas Light and Coke Company;" and, by that name, they 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 the construction, extension and usefulness 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.

Name and style.

Corporate powers.

§ 2. The corporation hereby created shall have full power and authority to manufacture and sell gas, to be made from any or all of the substances or a combination thereof from which inflammable gas is usually obtained, and to be used for the purpose of lighting the town of Elmwood, or the streets thereof, and any buildings, manufactories, churches and public places or houses therein contained, and to erect all necessary works and apparatus, and, with the consent and concurrence of the corporate authorities of said town, to lay pipes for the purpose of conducting gas in any of the streets or avenues of said town: *Provided*, that no permanent injury or damage shall be done to any street, lane or highway of said town.

Objects of the corporation.

§ 3. The capital stock of said company shall not exceed two hundred 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 corporators herein named; and they may, also, establish, alter and re-establish such by-laws, rules and regulations, not inconsistent with the laws of this state or of the United States, as they may think proper and necessary, respecting the management and disposition of the stock, property and estate of said company, the duties of the officers, artificers and agents to be employed, the number and selection of directors, and all such matters as appertain to the concerns of said company. Said company shall have the exclusive privilege of laying pipes in the public streets and alleys of said town, for the purpose of conducting gas, to be used for purposes of illumination, for the period of twenty-five years from and after the passage of this act: *Provided*, always, that the said company shall, within two years after the passage of this act, erect suitable buildings and works to supply said town with gas, for the purposes of illumination.

Amount capital stock.

§ 4. The town council of the town of Elmwood are hereby authorized to issue to the said Elmwood Gas Light and Coke Company, as a loan of their credit, bonds, to any

City to issue bonds for company.

amount not exceeding twenty-five thousand dollars, and not to draw over ten per cent. interest, payable in five, ten, fifteen, twenty and twenty-five years from the date thereof, secured on the revenues of the said town of Elmwood.

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

APPROVED March 29, 1869.

In force March 26, 1869.	AN ACT to incorporate the Fox River Gas Light and Coke Company.
Corporators.	SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Benjamin F. Lawrence, Henry Sherman, Increase C. Bosworth, Sylvester S. Mann, Joseph Teft, Samuel D. Wilder, Walter L. Pease, their associates, successors, heirs and assigns, be and they are hereby created a body corporate and politic, with perpetual succession, by the name and style of "The Fox River Gas Light and Coke 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 whatsoever, with full power to acquire, hold, occupy and enjoy all such real and personal estate as may be proper and necessary for the construction, extension and usefulness of the works of said company and for the management and good government of the same; and they may have a common seal, and they may alter, break and renew at pleasure; and the office, manufactory or works of said company shall be located in the city of Elgin.
Name and style.	
Corporate powers, how vested.	
Objects of the corporation.	§ 2. The corporation hereby created shall have full power and authority to manufacture and sell gas, coke and tar, to be made from any and all the substances or a combination thereof from which inflammable gas, coke and tar are usually to be obtained or may hereafter be obtained, and to be used for the purpose of lighting the town and city of Elgin, or the streets thereof, and any building, manufactories, public places, grounds or houses therein contained, and to erect all necessary works and apparatus, and to lay pipes, with the consent of the municipal authorities of said city of Elgin, for the purpose of conducting the gas in any of the public streets, avenues, alleys, courts and public grounds of said city: <i>Provided</i> , that no permanent injury or damage shall be done to the streets, avenues, alleys, courts, public grounds, or other places of said city.
Amount capital stock.	§ 3. 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 may be di-

vided into such shares, subscribed for, paid for, and transferred, in such proportions and manner as shall be prescribed by the by-laws, rules and regulations of said company; which by-laws, rules and regulations the said company, by its directors, are hereby empowered to make and change, alter and revise at pleasure.

§ 4. That the corporation hereby created shall, when organized, be under the direction of not less than three nor more than seven directors, all of whom shall be stockholders in said company, and one of whom shall be elected president of the board. The said directors shall prescribe by-laws and rules for the management of the concerns of the said company, the sole control and disposition of the stock, property, estate and business of the company, the duties of officers, artificers and agents to be employed, the number and election officers. The said board 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. Said com- Election for directors.
pany shall have the exclusive right and privilege of laying pipes in the public streets and alleys of said city of Elgin, for the purpose of conducting gas, to be used for purposes of illumination, for the period of twenty-five years from and after the passage of this act: *Provided, however*, that said company shall, within two years after the passage of this act, erect and construct suitable works to supply said city of Elgin and its inhabitants with gas. Privileges,

§ 5. That the said corporation is hereby authorized to borrow money, and to mortgage or lease any of its property or franchise, and shall have full power and lawful authority to organize when ten thousand dollars of stock has been subscribed. May borrow money.

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

APPROVED March 26, 1869.

AN ACT to incorporate the Gas Light Company of Galena.

In force March
30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That John Corporators.
Lorain, Darius Hunkins, O. O. Phillips, and Thompson Bell, and their associates, who did, on the twenty-fourth day of October, A. D. eighteen hundred and fifty-nine, incorporate themselves in conformity to an act of the general assembly of the state of Illinois, approved February the 10th, 1849, entitled "An act to authorize the formation of corporations

Name and style.	<p>for manufacturing, agricultural, mining or mechanical purposes," as a corporation, for the manufacture and sale of inflammable gas and the sale of coke, coal, tar, etc., in the city of Galena, county of Jo Daviess, and state of Illinois, be and are hereby created a body corporate and politic, with perpetual succession, by the style and name of "The Gas Light Company of Galena;" 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 property, hold, occupy, enjoy and dispose of all such real and personal estate and property, as may be necessary for the construction, extension and benefit of the works of said company and for the management, operation, maintenance, completion and good government of the same; and they may have a common seal, and alter and break the same at pleasure.</p>
Corporate powers.	<p>§ 2. The corporation hereby created shall have full power and authority to manufacture and sell gas, to be made from all inflammable or combustible substances from which gas is usually made or may hereafter be obtained, and to use the same for the purpose of lighting the city of Galena or any addition that may thereafter be made thereto, and all the streets, lanes, avenues and alleys thereof, and any buildings, factories, public places or houses therein contained; to erect all necessary works and apparatus, and, with the consent of the municipal authorities of said city of Galena, to lay pipes, erect lamp posts and other things that may be necessary to carry out the legitimate business of said company and to the conducting gas in any of the streets, avenues, lanes and alleys in said city of Galena, provided no permanent injury or damage shall be done to the same.</p>
Objects of the corporation.	<p>§ 3 The capital of this company shall be eighty thousand dollars, which may be increased, should the business of the company make it necessary, to one hundred and fifty thousand dollars, which shall be divided into shares of one hundred dollars each, and shall be deemed personal property, and shall be issued and transferred in such a manner as the board of directors, by their by-laws, shall prescribe. Said company shall have the exclusive privilege of laying pipes in the public streets and alleys of said city of Galena, for the purpose of conducting gas, to be used for purposes of illumination, for the period of twenty-five years from and after the passage of this act: <i>Provided</i>, that said company shall, within two years from and after the passage of this act, erect suitable buildings and works for supplying said city with gas.</p>
Amount of capital stock.	<p>§ 4. The real estate of said corporation shall not exceed in value eighty thousand dollars.</p>
Real estate.	

§ 5. The corporation hereby created shall be managed by a board of directors of not less than three nor more than five persons, who shall be stockholders of this company, who shall have full power and authority to manage and control all the affairs of said corporation, as they may deem best for the interest of the company.

Election of board of directors.

§ 6. At all elections for a board of directors, each share of stock shall be entitled to one vote; which board, when so elected, shall choose from among their number a president, treasurer, and secretary. John Lorain, Darius Hunkins, and William Anderson, shall be the first directors, who shall hold the said office for the first year and until their successors are duly elected.

Vote of stockholders.

§ 7. There shall be an election for directors on the first Tuesday in March, A. D. 1870, and every year ensuing.

Election, where and when held.

§ 8. This act shall be in force from and after its passage, and shall be a public act, and does hereby repeal all and every part thereof [of] an act entitled "An act incorporating the Galena Gas Light Company," approved January 29, 1857.

When act to take effect.

Act repealed.

APPROVED March 30, 1869.

AN ACT to incorporate the Galva Gas Light and Coke Company.

In force March 15, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That William L. Wiley, Thompson Maple, J. M. Wiley, William E. Phelps, R. F. Bailey, and Wm. L. Wiley, 2nd, be and they are hereby created a body corporate and politic, with perpetual succession, by the name and style of "The Galva Gas Light and Coke Company;" and, by that name, they and their successors shall be capable in law of contracting and being contracted with, suing and be 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 the construction, extension and usefulness 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.

Corporators.

Name and style.

Corporate powers.

§ 2. The corporation hereby created shall have full power and authority to manufacture and sell gas, to be made from any or all of the substances or combinations thereof from which inflammable gas is usually obtained, and to be used for the purpose of lighting the town of Galva, or the streets, public squares and parks thereof, and any

Objects of the corporation.

buildings, manufactories, colleges, academies, school houses, churches, and public places or houses therein contained, and to erect all necessary works and apparatus, and to lay pipes, for the purpose of conducting the gas in any of the streets, avenues or public grounds of said town, provided that no permanent injury or damage shall be done to any street, lane, highway or public grounds of said town. The real estate which this corporation is entitled to hold shall not exceed the value of one hundred thousand dollars.

Amount capital
stock.

§ 3. The capital stock of said company shall not exceed three hundred thousand dollars, to be divided into shares of fifty dollars each, to be subscribed for in such portions as shall be prescribed by the by-laws and rules for regulating the concerns and affairs of said company; which by-laws, rules and regulations the said company, by its directors, are hereby empowered to make, change, alter and revise at pleasure, and provide for the management and disposition of the stock, property and real estate of said company, the duties of the officers, artificers and agents, to be employed, the number and selection of directors, and all such other matters as pertains to the concerns, affairs or necessities of the company.

Privileges.

§ 4. Said company shall have the exclusive right and privilege of laying pipes in the public streets and alleys of the said town of Galva, for the purpose of supplying the town of Galva and its inhabitants with gas, for twenty-five years from the passage of this act; and nothing herein contained shall in any way be construed as conferring any banking powers and privileges on said company: *Provided*, said company shall organize within two years and expend in good faith, towards completing said gas works, five thousand dollars.

Borrow money.

§ 5. It shall be lawful for the directors of said company, at any time they may require, to borrow or obtain on loan such sum or sums of money, and on such terms as they may deem expedient, not however to exceed the sum of fifty thousand dollars at any one time, and at a rate not exceeding ten per cent. per annum; and to secure the payment of such sum or sums as borrowed, with interest thereon, the directors of said company are hereby authorized to issue the bonds of the company therefor, and to further secure the sums by mortgage or deed of trust upon the real property, rights, privileges and franchises of said company, to the same extent as natural persons may pledge or mortgage their property—such mortgage or deed of trust to be executed by the president of said company and attested by the secretary, under the seal of said company.

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

APPROVED March 15, 1869.

AN ACT to incorporate the Geneseo Gas Light and Coke Company. In force March 31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Andrew Crawford, James M. Allen, Joseph A. Sawyer, Ransom L. Carrington, Edson A. Wood, Justus F. Dresser, and Joseph Hammond, be and they are hereby created a body corporate and politic, with perpetual succession, by the name and style of "The Geneseo Gas Light and Coke 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 whatsoever, with full power to acquire, hold, occupy and enjoy all such real and personal estate as may be necessary and proper 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.

Corporators.

Name and style.

Corporate powers.

§ 2. The corporation hereby established shall have full power and authority to manufacture and sell gas, to be made from any or all of the substances, or a combination thereof, from which inflammable gas is usually obtained, and to be used for the purpose of lighting the city of Geneseo, with all the additions or enlargements thereof, or the streets and avenues thereof, and any buildings, mills, manufactories, colleges, academies, churches and public places or houses therein contained, and to erect all necessary works and apparatus, and to lay pipes, for the purpose of conducting the gas in any of the streets or avenues of the city, provided that no permanent injury or damage shall be done to any street, lane or highway of said city. The real estate which this corporation is entitled to hold shall not exceed in value fifty thousand dollars.

Objects of the corporation.

§ 3. The capital stock of said company shall not exceed three hundred thousand dollars, to be divided into shares of fifty dollars, to be subscribed and paid for in such proportions as shall be prescribed by the by-laws and rules for regulating the concerns of said company, as they shall think proper and necessary, respecting the management and disposition of the stock, property and estate of said company, the duties of the officers, artificers and agents to be employed, the number and selection of directors, and all such matters as appertain to the concerns of said company. Said company shall have the exclusive right and privilege of supplying the city of Geneseo and its inhabitants with gas, for the purpose of affording light, for thirty years.

Amount of capital stock.

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

APPROVED March 31, 1869.

In force March
29, 1869.

AN ACT to incorporate the Havana Gas Light and Coke Company.

Corporators.

Name and style.

Corporate powers.

Objects of the
corporation.

Possession of
real estate.

May borrow
money.

Amount of
capital stock.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Hugh Fullerton, George A. Blanchard, Jacob Wheeler, Orlando H. Wright, and George A. Foster, and their associates, successors and assigns, be and are hereby created a body corporate, by the name and style of "The Havana Gas Light and Coke 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 whatsoever, with full power 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 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.

§ 2. Said corporation shall have full power and authority to manufacture, sell and dispose of gas, coke and tar, made from any and all substances from which inflammable gas, coke or tar can be obtained—said gas to be used for the purpose of lighting the town of Havana, Mason county, or the streets, houses and public places therein contained, and to erect all necessary works and apparatus, and to lay pipes for the purpose of conducting the gas, in any of the streets, avenues, alleys, highways or public places in said town, provided that no permanent injury or damage shall be done to any street, avenue, alley, highway or public place, in laying the pipes, as aforesaid: *And, provided, further,* that if at any time during the existense of the corporation created by this act, the said town should become an incorporate city, the powers and privileges herein granted shall remain the same.

§ 3. The real estate which this corporation is entitled to shall not exceed in value one hundred thousand dollars; and it shall be lawful for said company to sell and convey any real estate it may possess, when not required for its own use.

§ 4. It shall be lawful for said company, whenever they require it, to borrow, or obtain on loan, such sums of money and on such terms as they may deem expedient, and to issue bonds of the company for the same, not however to exceed the sum of twenty-five thousand dollars at any one time.

§ 4½. The capital stock of said company shall be fifty thousand dollars, and may be increased to one hundred thousand dollars, in shares of fifty dollars each, to be sub-

scribed and paid for under such rules and regulations as shall be prescribed by said company.

§ 5. Said company shall make such rules and regulations for the election of directors and their successors, and for regulating the affairs of said company and the duties of officers and employees of the same, as they may deem proper, and shall have the exclusive privilege of supplying the said town or city of Havana and its inhabitants, for thirty-five years, with gas for affording light.

Appointment of
board of direc-
tors.

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

APPROVED March 29, 1869.

AN ACT to incorporate the Illinois Pneumatic Gas Company.

In force March
24, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Timothy Wright, James M. Stryker, Charles W. Drew, James J. Pettit, 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 Illinois Pneumatic Gas Company;" and, by that name, they and their successors shall be capable in law of contracting and being contracted with, and of suing and being sued, in all matters whatsoever, with full power to acquire, hold occupy, enjoy, sell, convey and encumber all such real and personal estate as may be necessary and proper for the construction, extension and usefulness of the works of said company and for the management and good government of the same and the successful and convenient transaction of its business, and shall have all other powers incident to corporations of like nature.

Corporators.

Body corporate
and politic.

§ 2. The said corporation shall have a common seal, which it may alter and renew at pleasure.

Corporate seal.

§ 3. The corporation hereby created shall have full power and authority to manufacture and sell illuminating gas, to be made from petroleum or its products, under the patent owned or to be owned by said company, or in which it may have any title or interest, and issued or to be issued to A. C. Rand; also, under the patent aforesaid, to manufacture and sell the works and machinery, with all needed materials and appliances, for such manufacture—and also to make assignments and grant licenses, under any of such patents, in the same manner and to the same effect as if the said corporation were a natural person.

Objects of the
corporation.

§ 4. The said corporation may make such by-laws as it may deem necessary for the management of the affairs

Powers and pri-
vileges.

thereof, not inconsistent with the laws of Illinois or of the United States.

Capital stock. § 5. The capital stock of said corporation shall be five hundred thousand dollars, and shall consist of five thousand shares of one hundred dollars each, to be subscribed for and paid in such manner and upon such terms and conditions as shall be prescribed in and by the by-laws aforesaid.

Construction of act. § 6. Nothing herein contained shall be construed to authorize said corporation to exercise banking privileges or to hold real estate in a greater amount or value than fifty thousand dollars at any one time. This act shall not be construed so as to authorize said company to lay down pipes or mains in any public street, alley or highway.

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

APPROVED March 24, 1869.

In force March
25, 1869.

AN ACT to incorporate the Lincoln Gas Light Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Nelson Mason, James Dinsmoor, William A. Sanborn, and their associates and successors, are hereby created a body corporate, with perpetual succession, by the name and style of "The Lincoln Gas Light Company;" and, by that name, they shall be capable in law of contracting and being contracted with, suing and being sued, plead and being pleaded, in all courts and places, with full power to acquire, hold, occupy and enjoy all such real and personal estate as may be necessary and proper for the construction and use of the works of said company; and may have a common seal, and the same may alter and renew at pleasure.

Objects of the corporation. § 2. The said corporation shall have full power and authority to manufacture inflammable gas, for the purpose of lighting the city of Sterling, in the county of Whiteside, and any buildings, manufactories, public places or houses therein, and to erect all necessary works and apparatus, and to lay pipe, for the purpose of conducting the gas in any and all the streets, avenues and alleys of said city, provided that no permanent injury shall be done to any of [the] streets, avenues or alleys thereby.

Amount capital stock. § 3. The capital stock of said corporation shall be twenty-five thousand dollars, and may be increased at any time, by a vote of two-thirds of the stockholders, to a sum not exceeding one hundred thousand dollars. The capital stock shall be divided into shares of the par value of one hundred dollars each.

§ 4. The stockholders of said corporation shall, annually, elect a board of directors, who shall have the general direction and management of the affairs of said company, subject to the by-laws, rules and regulations of said stockholders. Annual election of directors.

§ 5. The directors shall elect one of their number president, and shall elect a clerk and other necessary officers and agents to transact the business of said company. Officers.

§ 6. Said company shall have the exclusive right and privilege of laying pipes in the public streets and alleys of the said city of Sterling, for the purpose of supplying said city of Sterling and its inhabitants with gas, for the purpose of supplying light, for twenty-five years after the passage of this act, subject to existing rights. Powers and privileges.

§ 7. 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 25, 1869.

AN ACT to incorporate the Litchfield Gas Light and Coke Company. In force March 30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That H. H. Beach, David R. Spark, William Grinsted, E. M. Gilmore, and B. M. Munn, be and they are hereby created a body corporate and politic, with perpetual succession, by the name and style of "The Litchfield Gas Light and Coke Company;" and, by that name, they and their successors and assigns 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 and hold property, real and personal, that may be necessary for the construction, extension and usefulness of said company and for the management and good government of the same; and they may have a common seal, which they may alter or renew at pleasure. Corporators. Name and style. Corporate powers.

§ 2. The corporation hereby established shall have full power and authority to manufacture and sell gas, to be made from any and all the substances, or a combination thereof, from which inflammable gas is usually obtained, and to be used for the purpose of lighting the city of Litchfield, with all the additions and enlargements thereof, or the streets and avenues thereof, and any buildings, mills, manufactories, shops, school houses, churches and public houses or places therein contained, and to erect all necessary works and apparatus, and to lay pipes for the purpose of conducting the gas in and through any of the streets of said city or any of Objects of the corporation.

the avenues of the same, provided that no permanent injury or damage shall be done to any street, lane, avenue or highway of said city.

Amount capital
stock.

§ 3. The capital stock of said company shall not exceed three hundred thousand dollars, to be divided into shares of fifty dollars each, to be subscribed and paid for in such portions as shall be prescribed by the by-laws and rules for regulating the concerns of the company, as they shall think proper and necessary, respecting the management and disposition of the stock, property and estate of the company, the duties of the officers, artificers and agents to be employed, the number and selection of directors, and all such matters as appertain to the concerns of said company. The said company shall have the exclusive right and privilege of laying pipes in the public streets and alleys of the said city of Litchfield, to be used for conducting gas, for the purpose of illuminating, for the period of thirty years from and after the passage of this act: *Provided, however,* the company hereby created shall establish gas works, for the purposes aforesaid, within two years from and after the passage of this act.

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

APPROVED March 30, 1869.

In force March
29, 1869.

AN ACT to incorporate the Macomb Gas Light and Coke Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Charles Chevalier, Asa A. Matteson, Louis H. Waters, James M. Campbell and Wm. E. Withrow, and their associates, be and they are hereby created a body politic and corporate, with perpetual succession, by the name and style of "The Macomb Gas Light and Coke 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 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 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.

Name and style.

Objects of the
corporation.

§ 2. That the corporation hereby created shall have full power and authority to manufacture and sell gas, to be made from any or all of the substances, or a combination

thereof, from which inflammable gas is usually obtained, and to be used for the purpose of lighting the city of Macomb, or the streets thereof, and any buildings, manufactories, public places or houses therein contained, and to erect all necessary works and apparatus, and to lay pipes, for the purpose of conducting, with the consent of the city authority, the gas in any of the streets or avenues of said city, provided that no permanent injury or damage shall be done to any street, lane or highway in said city. The real estate which this corporation is entitled to hold shall not exceed in value, exclusive of the improvements erected thereon, ten thousand dollars,

§ 3. The capital stock of said company shall not exceed one hundred and fifty thousand dollars, to be subscribed for and to be paid in, in such proportions as shall be prescribed by the by-laws and rules for regulating the concerns of said company, as they shall think proper and necessary, respecting the management and disposition of the stock, property and estate of said company, the duties of the officers and agents to be employed, the number and election of directors, and all such matters as appertain to the concerns of said company. Said company shall have exclusive privilege of laying pipes in the public streets and alleys of said city, for the purpose of conducting gas, to be used for purposes of illumination, for and during the period of twenty-five years from and after the passage of this act: *Provided*, said company shall, within five years after the passage of this act, erect and construct suitable works for supplying the said city with gas, for purposes of illumination.

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

APPROVED March 29, 1869.

AN ACT to incorporate the Mason City Gas Light and Coke Company. In force March 15, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That George H. Campbell, John S. Wilburn, Thomas Lamereux, Royal W. Porter, and Washington H. Campbell, be and they are hereby created a body corporate and politic, with perpetual succession, by the name and style of "Mason City Gas Light and Coke 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 whatsoever, with full power 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 work 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.

Objects of the corporation.

§ 2. The corporation hereby created shall have full power and authority to manufacture and sell gas, to be made from any or all of the substances, or a combination thereof, from which inflammable gas is fully obtained, and to be used for the purpose of lighting the town of Mason City, or the streets thereof, and any buildings, manufactories, alleys, academies, churches, stations, depots and public places or houses therein contained; and to erect all necessary works and apparatus and to lay pipes for the purpose of conducting the gas in any of the streets or avenues of said town: *Provided*, that no permanent injury or damage shall be done to any street, lane or highway of said town. The real estate which this corporation is entitled to hold shall not exceed in value the sum of seventy-five thousand dollars.

Capital stock.

§ 3. The capital stock of said company shall not exceed two hundred thousand dollars, to be divided in shares of fifty dollars, to be subscribed and paid for in such proportions as shall be prescribed by the by-laws and rules for regulating the concerns of said company, as they shall think proper and necessary, respecting the management and disposition of the stock, property and estate of said company, the duties of the officers, artificers and agents to be employed, the number and selection of directors, and all such matters as appertain to the concerns of said company.

Privileges.

§ 4. Said company shall have the exclusive right and privilege of laying pipes in the public streets and alleys of the said city of Mason, for the purpose of supplying the said city of Mason, and its inhabitants, with gas for twenty-five years from the passage of this act.

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

APPROVED March 15, 1869.

In force March
29, 1869.

AN ACT to incorporate the Moline Gas and Coke Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That C. H. Deere, H. A. Barnard, H. F. Sickles, J. S. Richards and Charles Reese, their associates, successors and assigns, be and they are hereby created a body corporate and politic, with succession for fifty years, by the name and style of*

"The Moline Gas Light and Coke Company;" and by that name they and their successors shall have power and 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 authority 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 said company, and for the management and proper government of the same; and they may have and use a common seal and may alter, renew or break the same at pleasure.

Name and style.

Corporate powers.

§ 2. The corporation hereby created and established, shall have full power and privilege to make and sell gas, to be manufactured from any and all the substances or combinations thereof from which inflammable gas may be and is usually obtained, and to be used for the purpose of lighting the village or city of Moline, with all the additions or enlargement thereof, or the streets, avenues or alleys thereof, and any buildings, mills, manufactories, colleges, schools, academies, churches and public places, or houses therein contained, and to erect all necessary works and apparatus, and by and with the consent and authority of the said city and town to lay pipes for the purpose of conducting the gas in any of the streets, alleys or avenues of said city or town: *Provided*, that no permanent injury or damage shall be done to any street, avenue or highway in said town or city. The real estate which this corporation is entitled to hold shall not exceed in value seventy-five thousand dollars.

Objects of the corporation.

§ 3. The capital stock of said company shall not exceed one hundred thousand dollars, to be divided into shares of fifty dollars each, to be subscribed and paid for in such proportions as shall be prescribed by the by-laws and rules for regulating the business of said company, as they shall deem proper and necessary respecting the disposition and management of the stock, property and estate of said company, the duty of directors, officers, agents or artificers to be employed, the number and selection of directors, and all matters appertaining to said company: *Provided*, such by-laws, rules and regulations do not conflict with the laws of the United States and the state of Illinois; and shall have exclusive right and privilege of laying pipes in the public streets and alleys of said city and town, for the purpose of conducting gas to be used for purposes of illumination, for the period of twenty-five years from and after the passage of this act: *Provided*, that said company shall, within two years from and after the passage of this act, erect suitable buildings and works to supply said city or town with gas for purposes of illumination.

Amount of capital stock.

§ 4. This act is declared a public act from and after its passage.

APPROVED March 29, 1869.

In force June
19, 1869.

AN ACT to incorporate the Normal Gas Light and Coke Company.

Corporators.

Name and style.

Corporate powers.

Objects of the corporation.

Amount capital stock.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Jesse W. Fell, W. A. Pennell, Samuel J. Reeder, L. A. Hovey, David Kerr, Benjamin F. Turk, and William O. Davis, and their associates, be and they are hereby created a body politic and corporate, with perpetual succession, by the name and style of "The Normal Gas Light and Coke 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 whatsoever, with full power 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 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.

§ 2. The corporation hereby created shall have full power and authority to manufacture and sell gas, to be made from any or all the substances or a combination thereof from which inflammable gas is usually obtained, and to be used for the purpose of lighting the town of Normal, in the county of McLean, or the streets thereof, and any buildings, manufactories, public places, or houses therein contained, and to erect all necessary works and apparatus, and to lay pipes for the purpose of conducting (with the consent of the town authority) the gas in any of the streets or avenues of said town: *Provided*, that no permanent injury or damage shall be done to any street, lane or highway in said town. The real estate which this corporation is entitled to hold shall not exceed in value, exclusive of improvements erected thereon, five thousand dollars.

§ 3. The capital stock of said company shall not exceed one hundred thousand dollars, to be subscribed for and paid in, in such proportions as shall be prescribed by the by-laws and rules for regulating the concerns of said company, as they shall think proper and necessary respecting the management and disposition of the stock, property and estate of said company, the duties of the officers and agents to be employed, the number and election of directors, and all such matters as appertain to the concerns of said company. Said company shall have the exclusive privilege of supplying the town of Normal and its inhabitants with gas, for the purpose of affording light, for fifteen years: *Provided*, that unless said corporation shall, within three years after the passage of this act, lay or cause to be laid gas pipes, and be in readiness to furnish gas for the

use of the Normal University building, then this act shall be void.

APPROVED March 4, 1869.

AN ACT to incorporate the Pana Gas Light and Coke Company.

In force March
10, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Asaph C. Vanderwater, William J. Jordan, Francis M. Malone, Wallis S. Buell, and John Row Bullock, be and they are hereby created a body corporate and politic, with perpetual succession, by the name and style of "The Pana Gas Light and Coke 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 whatsoever, with full power 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 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.

Corporate name
and powers.

§ 2. The corporation hereby established shall have full power and authority to manufacture and sell gas, to be made from any or all of the substances, or a combination thereof, from which inflammable gas is usually obtained, and to be used for the purpose of lighting the city of Pana, with all the additions or enlargements thereof, or the streets and avenues thereof, and any buildings, mills, manufactories, colleges, acadmies, churches, and public places, or houses therein contained, and to erect all necessary works and apparatus, and to lay pipes for the purpose of conducting the gas in any of the streets in said city, or any of the streets or avenues of the same: *Provided*, that no permanent injury or damage shall be done to any of the streets, lanes or highways of said city. The real estate which this corporation is entitled to hold shall not exceed in value fifty thousand dollars.

Objects of the
corporation.

§ 3. The capital stock of said company shall not exceed three hundred thousand dollars, to be divided into shares of fifty dollars, to be subscribed and paid for in such proportions as shall be prescribed by the by-laws and rules for regulating the concerns of said company, as they shall think proper and necessary respecting the management and disposition of the stock, property and estate of said company, the duties of the officers, artificers and agents to be employed, the number and selection of directors, and all such matters as apper-

Amount capital
stock.

tain to the concerns of said company. Said company shall have the exclusive right and privilege of supplying the city of Pana and its inhabitants with gas, for the purpose of affording light, for twenty-five years. A failure to organize under this charter, and to expend the sum of five thousand dollars in the construction of the necessary buildings and apparatus for the manufacture of gas within five years after the passage of this act, shall work a forfeiture thereof.

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

APPROVED March 10, 1869.

In force March
24, 1869.

AN ACT to incorporate the Paris Gas Light and Coke 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 Jas. A. Eads, Geo. E. Lerings, M. M. Dill, E. B. Munsell, Hiram Sandford, and their associates, be and they are hereby created a body politic and corporate, with perpetual succession, by the name and style of "The Paris Gas Light and Coke 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 whatsoever, with full power to acquire and occupy and enjoy all such real and personal estate as may be necessary and proper for the construction, extension and usefulness 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 or renew at pleasure.

Objects of the
corporation.

§ 2. The corporation hereby created shall have full power and authority to manufacture and sell gas, to be made from any or all of the substances, or combinations thereof, from which inflammable gass usually obtained, and to be used for the purpose of lighting the city of Paris, with all the additions or enlargements thereof, or the streets and avenues thereof, and any buildings, mills, manufactories, colleges, academies, churches and public places or houses therein contained, and to erect all necessary works and apparatus, and to lay pipes for the purpose of conducting the gas in any parts of the streets of said city, or any avenues of the same: *Provided*, that no permanent injury or damage shall be done to any street, lane or highway of said city. The real estate which this corporation is entitled to hold shall not exceed in value seventy-five thousand dollars..

Amount capital
stock.

§ 3. The capital stock of said company shall be sixty thousand dollars, and may be increased, from time to time,

by a vote of a majority of the stock, to any amount not exceeding three hundred thousand dollars, to be divided into shares of fifty dollars, to be subscribed and paid for in such proportions as shall be prescribed by the by-laws.

§ 4. The corporation hereby created and organized shall be under the direction of five directors, all stockholders in said company, one of whom shall be elected president; and they shall prescribe by-laws and rules for governing the concerns of said company. Election of directors.

§ 5 The said company shall have the exclusive right and privilege of laying pipes on the public streets and alleys of the said city of Paris, to be used for conducting gas for the purpose of illumination, for the period of twenty-five years from and after the passage of this act: *Provided, however,* the company hereby created shall establish gas works for the purpose aforesaid, within two years from and after the passage of this act; and may borrow money, and for such purpose may issue bonds and mortgage its property, loan such surplus funds [as] it may have on hand, and take mortgage or mortgages on real estate to secure the payment of the same. P. privileges.

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

APPROVED March 24, 1869.

AN ACT to incorporate the Olney Gas Light and Coke Company.

In force June 19, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Horace Hayward, Israel A. Powell, John H. Grunn, Robert Byers, William T. Shelby, Edward S. Wilson, Andrew Darling, William Elliott and Christian Jaggi, their associates, successors, heirs and assigns, be and they are hereby created a body corporate and politic, with perpetual succession, by name and style of "The Olney Gas Light and Coke Company," by which name they and their successors shall be capable in law of suing and being sued, of contracting and being contracted with, suing and being sued, defending and being defended, in all courts and places wheresoever, and in all matters whatsoever, with full power to hold, acquire, occupy and enjoy property, both personal and real, as may be necessary for the purposes, for construction, extension and usefulness of the works and operations of said company and for the management and government of the same; and that in furtherance of said objects may have and use a common seal, and may change the same at the pleasure of the company. Corporators.

Name and style.
Corporate powers.

Directors.

§ 2. The government and management of the said corporation shall be vested in a board of nine directors, chosen from the stockholders, which said election shall be held, and president, secretary and treasurer and such other officers and agents chosen as the by-laws of said corporation may determine.

Amount of capital stock.

§ 3. The capital stock of said company shall not exceed the sum of two hundred thousand dollars, and shall be divided into shares of fifty dollars each, to be subscribed, taken and paid for in such manner and proportions as shall be prescribed by the by-laws and rules for regulating the concerns of said company, as they shall think proper and necessary respecting the management and disposition of the stock, property and estate of said company, the duties of the officers, artificers and agents to be employed, the number and selection of directors, and all such matters as appertain to conduct and government of said corporation.

Objects of the corporation.

§ 4. The corporation hereby created shall have full power and authority to manufacture, furnish and sell gas, to be made and manufactured from any and all the substances, or from such combinations thereof, from which inflammable gas is usually obtained, and to be used for the purpose of lighting the city of Olney, in Richland county, or the streets thereof, and any buildings, houses of worship, manufactories and public places or houses therein contained, and that for said purpose shall have the power to erect all necessary works and apparatus, and to lay pipes for the purpose of conducting the gas in any of the streets, avenues or alleys of said village or city; and that to furnish and sell gas thus manufactured by said corporation as aforesaid, to be used for the purpose of lighting the streets of said city of Olney, and the buildings and places therein, the said corporation shall have and maintain exclusive power for the space of twenty-five years: *Provided*, that said corporation shall become fully organized and prepared to furnish gas to the citizens, as aforesaid, within four years from the passage thereof.

APPROVED March 31, 1869.

In force March 30, 1869. AN ACT to incorporate the Shawneetown Gas Light and Coke Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Thomas S. Ridgeway, Henry C. Docker, Martin Inman, Charles Carroll, William G. Bowman, John D. Richeson and A. R. Lowe, be and they are hereby created a body corporate and politic, with perpetual succession, by the name and*

style of "The Shawneetown Gas Light and Coke 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 whatsoever, with full power 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 said company, and for the management and good government of the same; and they may have and use a common seal, and the same may alter, break and renew at pleasure.

Corporate name
and powers.

§ 2. The corporation hereby established shall have full power and authority to manufacture and sell gas, to be made from any and all of the substances, or combination thereof, from which inflammable gas is usually obtained, and to be used for the purpose of lighting the city of Shawneetown, with all the additions and enlargements thereof or the streets and avenues thereof, and any buildings, mills, manufactories, colleges, academies, churches, public places or houses therein contained, and to erect all necessary works and apparatus, and, by and with the consent of the municipal authorities of said city of Shawneetown, to lay pipes for the purpose of conducting the gas in any of the streets of said city or any of the avenues of the same: *Provided*, that no permanent injury or damage shall be done to any street, lane or highway of said city. The real estate which this corporation is entitled to hold shall not exceed, in value, fifty thousand dollars.

Objects of the
corporation.

§ 3. The capital stock of said company shall not exceed three hundred thousand dollars—to be divided into shares of one hundred dollars—to be subscribed and paid for in such proportions as shall be prescribed by the by-laws and rules for regulating the concerns of said company, as they shall think proper and necessary respecting the management and disposition of the stock, property and estate of said company, the duties of the officers, artificers and agents to be employed, the number and selection of directors, and all such matters as appertain to the concerns of said company; which said rules, regulations and by-laws shall not be inconsistent with the laws of this state or of the United States. Said company shall have the exclusive right and privilege of laying pipes in the public streets and alleys of the said city of Shawneetown, for the purpose of conducting gas to be used for purposes of illumination, for the period of twenty-five years from and after the passage of this act: *Provided, however*, that said company shall, within five years from and after the passage of this act, erect suitable and sufficient works and buildings to supply the central and well settled portion of said town with gas for illuminating purposes.

Amount of
capital stock.

Privileges.

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

APPROVED March 30, 1869.

In force March 24, 1869. AN ACT to incorporate the Shelbyville Gas Light and Coke Company.

Corporators.	SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Thomas P. Bryan, Chatten Kelly, Edward Harris, George R. Wendling and Charles C. Scoville, be and they are hereby created a body corporate and politic, with perpetual succession, by the name and style of "The Shelbyville Gas Light and Coke 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 whatsoever, with full power 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 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 the same at pleasure.
Name and style.	
Corporate powers.	
Objects of the corporation.	§ 2. The corporation hereby established shall have full power and authority to manufacture and sell gas, to be made from any or all of the substances, or a combination thereof, from which inflammable gas is usually obtained, and to be used for the purpose of lighting the city of Shelbyville, with all the additions or enlargements thereof or the streets and avenues thereof, and any buildings, mills, manufactories, colleges, academies, churches and public places or houses therein contained, and to erect all necessary works and apparatus, and to lay pipes for the purpose of conducting the gas in any of the streets of said city or any of the streets or avenues of the same: <i>Provided</i> , that no permanent injury or damage shall be done to any street, lane or highway of said city. The real estate which this corporation is entitled to hold shall not exceed, in value, fifty thousand dollars.
Capital stock.	§ 3. The capital stock of said company shall not exceed three hundred thousand dollars—to be divided into shares of fifty dollars—to be subscribed and paid for in such proportions as shall be prescribed by the by-laws and rules for regulating the concerns of said company, as they shall think proper and necessary respecting the management and disposition of the stock, property and estate of said company, the duties of the officers, artificers and agents to be employed, the number and selection of directors, and all such matters as appertain to the concerns of said company.
Privileges.	Said company shall have the exclusive right and privilege of supplying the city of Shelbyville and its inhabitants with gas, for the purpose of affording light, for twenty-five years. A failure to organize under this charter, and to expend the sum of five thousand dollars in the construction of the necessary buildings and apparatus for the man-

ufacture of gas, within five years after the passage of this act, shall work a forfeiture thereof.

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

APPROVED March 24, 1869.

AN ACT to incorporate the Vandalia Gas Light and Coke Company.

In force March
31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Mathias Fehren, J. P. VanDorston, J. M. Whiteman, S. Perkins, and Z. S. Swan, and their associates, be and they are hereby created a body politic and corporate, with perpetual succession, by the name and style of "The Vandalia Gas Light and Coke 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 whatsoever, with full power 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 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.*

Incorporators.

Name and style.

Corporate powers.

§ 2. The corporation hereby created shall have full power and authority to manufacture and sell gas, to be made from any or all of the substances, or a combination thereof, from which inflammable gas is usually obtained, and to be used for the purpose of lighting the city of Vandalia, with all the additions or enlargements thereof, or the streets and avenues thereof, and any buildings, mills, manufactories, colleges, academies, churches, and public places, or houses therein contained, and to erect all necessary works and apparatus, and to lay pipes for the purpose of conducting the gas in any parts of the streets of said city, or any avenues of the same: *Provided*, that no permanent injury or damage shall be done to any street, lane, or highway of said city. The real estate which this corporation is entitled to hold shall not exceed in value fifty thousand dollars.

Objects of the corporation.

§ 3. The capital stock of said company shall not exceed three hundred thousand dollars, to be divided into shares of fifty dollars, to be subscribed and paid for in such proportions as shall be prescribed by the by-laws and rules for regulating the concerns of said company, as they shall think proper and necessary respecting the management and dis-

Capital stock.

Organization.

position of the stock, property and estate of said company, the duties of the officers, artificers, and agents to be employed, the number and selection of directors, and all such matters as appertain to the concerns of said company. Said company shall have the exclusive right and privilege of supplying the city of Vandalia and its inhabitants with gas, for the purpose of affording light, for twenty-five years. A failure to organize under this charter and to expend the sum of five thousand dollars in the construction of buildings and apparatus for the manufacture of gas, within five years after the passage of this act, shall work a forfeiture thereof.

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

APPROVED March 31, 1869.

GAS COMPANIES—NEW PRIVILEGES.

In force March 12, 1869. AN ACT to enable the Chicago Gas Light and Coke Company to increase its capital stock.

Increase capital stock.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Chicago Gas Light and Coke Company may from time to time increase its capital stock to an amount not to exceed four million dollars.

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

APPROVED March 12, 1869.

In force March 26, 1869. AN ACT to amend an act to incorporate the Lincoln Gas Light and Coke Company.

Act amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the third section of said act be and the same is hereby so amended as to read as follows, viz: The capital stock of said company shall not exceed three hundred thousand dollars, to be divided into shares of one hundred dollars, to be subscribed for and paid for in such proportions as shall be prescribed by the by-laws of said company for regulating

the same. The board of directors shall have power to perform such other acts as may be necessary to control the business and property of the company, and to make such rules and by-laws as may be sufficient to transfer the powers herein granted to succeeding boards of directors. The said company shall have the exclusive right to lay pipes for conveying gas in the public streets and alleys of the city of Lincoln, in the state of Illinois, for the purpose of supplying the said city of Lincoln and its inhabitants with gas for the purpose of illumination, for the period of twenty-five years after the passage of this act: *Provided*, said company shall be organized, and ready and able to supply said city of Lincoln and its inhabitants with such gas within three years after the passage of this act. Privileges.

§ 2. The city of Lincoln, by its corporate authorities, shall have the right and is hereby authorized to subscribe for, take and hold stock in the company hereby created, to the amount of twenty thousand dollars.

§ 3. This act shall take effect from and after its passage.
APPROVED March 26, 1869.

GERMAN SCHOOL.

AN ACT to incorporate the Bloomington Independent German School Association. In force March 4, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the present members of the society called the Independent German School Association of Bloomington, in the county of McLean, be and they are hereby created a body corporate, under the name and style of "The Independent German School Association," with perpetual succession and power to sue and be sued, either at law or in equity, contract and be contracted with, to acquire and hold real estate and other property, by gift, devise, purchase, or otherwise, to the value of fifty thousand dollars; to use, employ, manage and dispose of any or all of such property, and all moneys belonging to said corporation, in such manner as shall best promote the cause of education, and the interest of said association. Corporate powers.

§ 2. The said corporation shall have power to pass by-laws for the direction and government of its officers, and for the government and control of the school and all other business and affairs of said corporation, and may fix the time and General powers.

manner of electing its officers, and also provide for the admission of new members into said association, and may pass any and all laws for the government of said association, and the use and disposition of its property, not inconsistent with the constitution and laws of this state and the United States.

Election of officers. § 3. The officers of said corporation shall be a president, vice president, secretary, treasurer, and three trustees, who shall be elected by said association at their first meeting under this act, and who shall hold their respective offices until otherwise provided by the by-laws of said corporation.

Duties of the treasurer. § 4. The treasurer shall give bond and security for the faithful performance of the duties of his office.

No religious tests required. § 5. No religious test shall ever be required in said association, nor shall any sectarian religious teaching ever be introduced into the classes of the school, by any member, teacher or scholar, belonging to or connected with said corporation.

Exempt from taxation. § 6. The property of said corporation shall be forever free and exempt from all state, county, and corporation taxation.

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

APPROVED March 4, 1869.

In force March 20, 1869.

AN ACT to incorporate the Cairo German School Society.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That F. Bross, P. G. Schuh, F. Korsmeyer, P. Neff, E. Buder, P. Schmidt, C. Schultz, J. Koehler, C. Hanny, P. Ehs, F. Blankenburg, C. Schuh, W. Alba, H. Sohr, J. Sackberger, F. Winterberg, J. Scheel, W. Beerwart and F. Kuehle, heretofore associated together under the name of the German Institute, in the city of Cairo, and their associates and successors, are hereby constituted a body politic and corporate, by the name of "The Cairo German School Society," and by that name shall have perpetual succession, with power to use a common seal, and the same to alter and renew at pleasure; to contract and be contracted with, sue and sued, implead and be impleaded, answer and be answered unto in all courts.*

May hold and convey real estate. § 2. The corporation hereby created shall have power to acquire, receive and hold, by purchase, gift or payment for the same, donation, or otherwise, both real and personal property; and all property, real and personal, moneys and credits, heretofore acquired by the German Institute, by

purchase, gift or otherwise, the title of which is hereby vested in this corporation, with full power to use, manage, sell and convey the same, as they shall think proper, for the best interests of said school; and shall also have power to to borrow money for the purpose of repairing and enlarging their school house, and give mortgages on any or all the property of this corporation.

§ 3. All contracts, subscriptions, notes, donations or liabilities, of whatever kind or nature, now existing in favor of said German Institute, are hereby vested in the corporation hereby created, with full power in said corporation to sue and collect the same; and all debts, dues and demands, now owing and unpaid by the German Institute are hereby declared to be debts and liabilities of the corporation now created.

§ 4. This corporation shall, on the second Monday in August, A. D. 1869, and every year thereafter, or as soon as convenient after the time mentioned, elect seven trustees, who shall, from their own number, elect a president, vice-president, secretary and treasurer, who shall hold their respective offices for one year, or until their successors are elected and qualified, until which time the present trustees and officers of the German Institute shall act, and all their actions shall be legal under this act.

§ 5. The trustees shall have complete control and management of the school, and exclusive control of the money and other property of said corporation, subject to such rules and regulations as the members of the corporation may, from time to time, adopt; but no real property shall be sold and conveyed except by resolution of the society and of the trustees, directing the president and trustees to convey the same. All deeds and conveyances shall be signed by the president and secretary, with the seal of the corporation attached.

§ 6. The articles, by-laws, rules and regulations of the said German Institute, heretofore framed, and not inconsistent with this act, shall be and remain the rules and regulations, articles and by-laws of the corporation hereby created until repealed and changed by the said society; and all by-laws and proceedings in meetings of the society or trustees shall be in German language.

§ 7. This society shall not be dissolved by a vote of the members, or otherwise, until the teaching of the German language in the public schools is permanently established, and then not until two-thirds of the members of the society shall vote for said dissolution; and, whenever dissolved, no property, moneys or credits belonging to said society shall be divided among the members, or otherwise, but shall be donated to some public beneficial or charitable object.

Exempt from
taxation

§ 8. All property, real and personal, of said society shall be exempt from taxation. This act shall be subject to future legislation.

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

APPROVED March 25, 1869.

In force March 11, 1869. AN ACT to amend an act entitled "An act to incorporate the Havana German School Association."

Board of trustees.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the act to which this is an amendment be so changed as to increase the number of trustees from three to six. On the first Tuesday in April, A. D. 1869, three trustees shall be elected, who shall hold their offices to the last Saturday in December, 1869, 1870, 1871, respectively; between said three trustees the lot shall decide who shall hold the office for the shorter and who for the longer terms. On the last Saturday of December, A. D. 1869, and of each and every year thereafter, two trustees shall be elected, who shall hold their offices for three years: *Provided*, that until the expiration of the respective terms of the present trustees, but one additional trustee shall be elected.

Corporate powers.

§ 2. The corporation hereby created shall have power, by their corporate name, to sue and be sued, contract and be contracted with, acquire and receive, and hold, by purchase, gift or devise, property, real, personal and mixed, and to use, manage and employ, sell, convey and dispose of all such property and money; and all property, real, personal and mixed, which has heretofore been acquired by said association, or by the persons named in this act, or by any person for the use of said association, and the title to and right of possession of the same shall be and the same is hereby vested in the said association.

Board of directors.

§ 3. The president, secretary and the six trustees shall constitute the board of directors of said association, and said board shall have the control and management of the school and the custody and control of the money and other property of said corporation, subject to such rules and regulations as the members of the corporation may, from time to time, adopt. They may appoint a treasurer, and require of him a bond with sufficient security to said corporation. On the sale of any real estate, by a resolution passed at a meeting of said association, to be entered on the minutes of their proceedings by the secretary of the board, the president of the

board shall be empowered to execute a deed to the purchaser or purchasers thereof.

§ 4. The said association may, at any time after the passage of this act, pass a constitution and by-laws consistent with this act. By-laws for its government.

§ 5. Sections two (2) and five (5), and such other parts of the act to which this act is an amendment, as are inconsistent with this amendatory act, are hereby repealed. Sections 2 and 5 repealed.

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

APPROVED March 11, 1869.

HALL COMPANIES.

AN ACT to incorporate the Belvidere Union Hall Association.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Izra May, Isaac T. Witbeck, George Dean, Leroy E. Benson, and Mark Ramsey, with such other persons as may become stockholders therein, as hereinafter provided, are hereby constituted a body politic and corporate, under the name and style of "The Belvidere Union Hall Association." In force June 19, 1869.

§ 2 The said corporation shall be located at the town of Belvidere, in the county of Boone. Corporators.

§ 3. The corporation hereby created shall have power to sue and be sued, to contract and be contracted with, to have, hold and acquire real estate not exceeding fifty thousand dollars (but only for the uses and purposes hereinafter limited and declared,) and to mortgage, encumber or dispose of the same, from time to time, if judged necessary, and invest the proceeds thereof in other real estate for the same uses and purposes; and shall, by the name aforesaid, implead and be impleaded in any courts of competent jurisdiction. It shall have power to make and use a common seal and alter and change the same, from time to time; and, in general, shall possess all the powers belonging to corporations created under the general laws of this state. Corporate powers.

§ 4. The corporate name shall be "The Belvidere Union Hall Association," and the corporate powers shall be vested in a board of five trustees, to be elected by the stockholders in the manner and at the time hereinafter set forth; and the persons named in the first section of this act shall be the trustees until the first election held under this act, and the qualification of the trustees elected. Trustees.
Vested powers

- Election of trustees.** § 5. The trustees of said corporation shall be elected by a majority of the shares represented at the annual meeting, which shall be held at Belvidere on the first Tuesday of September, in each and every year, and shall hold office for one year or until their successors are elected and qualified and enter upon their duties as trustees, by acceptance of office; and no failure to hold said annual meeting or to elect trustees shall work any discontinuance of said corporation.
- Amount of capital stock.** § 6. The capital stock of said corporation shall be twenty thousand dollars, divided into shares of twenty-five dollars each; but the said corporation may increase said amount of capital stock, not to exceed fifty thousand dollars, at any regular or special meeting, upon the vote of two-thirds, in amount, of all the stock then outstanding, in favor of said increase.
- Who entitled to vote.** § 7. Each and every stockholder at the meeting of said corporation shall be entitled to one vote for each and every share of twenty-five dollars, held by him, on which the calls made by said corporation shall, at the time, have been paid.
- Objects of the corporation.** § 8. The objects of the corporation shall be to build, erect and maintain a hall for public lectures, meetings and amusements, in the town of Belvidere, aforesaid, and to rent and use the same for their gain and profit, and to loan and invest their surplus funds, if any; and for these purposes they are hereby authorized and empowered to receive deeds or leases in fee simple, or any lease estate of such land or buildings as may suitable and necessary for such uses, and to maintain and keep the same in repair, and to construct such hall or conveniences therefor as they may need; and for such purposes to contract for such buildings and other constructions as they may require, and the same, when constructed, to lease and hire to such persons as they may choose so to do, and upon such terms and rates as may be agreed upon to insure their estate and interest in the same; and, generally, to do and perform therein whatsoever things a natural person may lawfully do and perform.
- Further powers.** § 9. The said corporation, in addition to the powers hereby granted, may, upon a vote of two-thirds in amount of all the stockholders represented at a regular annual meeting, apply such surplus funds as may remain after construction of said hall, or such additional capital as may be subscribed for that purpose, to the building, erection and maintenance of a hotel building adjacent to the hall hereby authorized, but the shares in the hotel and the shares in the hall shall always be kept separate and distinct, and the stockholders in the one shall not vote in nor partake of the profits of the other.
- Stockholders' liability.** § 10. No stockholder in the corporation hereby created shall be held liable for the debts of the said corporation in any other amount than the stock by him held at the time of the rendition of judgment against said corporation.

§ 11. The said corporation shall have power to issue Preferred stock. preferred stock, which stock shall have preferred lien upon the net earnings of the hall to an amount not exceeding ten per cent. per annum on said preferred stock, but the said corporation shall have the right to cancel any part of such preferred stock, at its par valuation, by using its surplus funds for such purpose, upon a vote of two-thirds in amount of the stockholders, in interest at an annual meeting.

§ 12. The board of trustees shall organize, upon the ac- Organization. ceptance of this charter, by appointing one of their number Trustees. president, and one secretary; and shall proceed to take up subscriptions to the capital stock of said corporation. Twenty days notice, by publication, shall first be given of the time and place of taking said subscriptions, by advertisement in some paper published in the town of Belvidere. As soon as the sum of five thousand dollars shall be subscribed, it shall be the duty of said trustees to call a meeting of the stockholders, who shall proceed to the first election of trustees under this act. Twenty days notice, as hereinbefore prescribed, shall be given of the stockholders' meeting.

§ 13. All the rights, powers, contracts, liabilities, privileges and duties which have hitherto accrued to the voluntary association, known as "The Belvidere Union Hall Association," are hereby transferred to and devolved upon the corporation hereby created, as fully as if the same had been originally entered into and with only said corporation; and the subscribers to the said voluntary association are hereby authorized to become stockholders in said corporation to the extent of their several subscriptions, in preference to, and to the exclusion to that extent, of new subscribers. Rights, powers, etc., transferred

§ 14. The board of trustees shall have power to call in the amounts of subscription in such installments as the shareholders may, from time to time, declare, and at such times as they may appoint; and in case of failure or refusal to pay such installments for thirty days after the same become due, they may declare said shares on which calls remain unpaid to be forfeited to said corporation, and may issue new certificates for the same to others. Pay subscriptions by installments.

§ 15. The said corporation shall have power to make General powers. by-laws and prescribe therein the duties of officers, the times and places of regular and special meetings of the board and of the stockholders, and any other matters appertaining to the general business and welfare of the association, and not inconsistent with the constitution and laws of this state. They shall further have power to cause notes, bonds or other evidences of debt to be made and entered into, and mortgages or other evidences to be executed—all of which shall be signed by the president and secretary, as the representatives of the corporation, and the common seal attached to instruments requiring a seal (if such seal shall have been

adopted: if not, under the private seals of said president and secretary,) but no mortgage or other lien upon the real estate of said corporation shall be entered into except upon a two-thirds vote, in amount, of all the stockholders, at some regular or special meeting.

Duration of corporation. § 16. The corporation hereby created shall continue so long as the uses and purposes of said organization, as herein declared, are by them carried out and maintained.

APPROVED March 8, 1869.

In force March 26, 1869. AN ACT to incorporate the Masonic Hall Joint Stock Association of Mount Sterling, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That A. A. Glenn, F. M. Curry, Levi Lusk, A. K. Lowry, H. N. Bates, John Kendrick, J. C. Hedenberg, Martin Brooks, Samuel S. Brooks, Daniel Barker, A. F. Hickman, R. N. Curry, J. M. Adams, Peter Burns, J. B. Vandeventer, J. B. Glass, J. F. Vandeventer, Walter Witty, J. A. Curry, Peter Kerr, L. Jones, O. R. Brown, A. McPhail, Joseph E. Means, J. J. Porter, F. J. Norville, J. Ross, G. W. Wilson, S. W. Miller, S. R. Glenn, P. R. Briggs, H. S. Vandeventer, A. E. Martin, Alexander Hedrick and J. H. Parker, and their associates, successors and assigns, be and are hereby created a body corporate and politic, under the*

Corporators. Name and style. name and style of "The Masonic Hall Joint Stock Association of Mount Sterling, Illinois," and by that name shall have and enjoy all the rights, privileges and immunities which are necessary to accomplish the purposes of this act, and be recognized in all courts of justice and equity in this state for the term of fifty years from the passage of

Objects of the corporation. this act. The purpose and sole object of the corporation hereby created shall be to own, occupy and manage a building, to be used as a masonic hall, at the town of Mount Sterling, in Brown county.

Capital stock. § 2. The capital stock of said corporation shall be twenty-five thousand dollars, and may be increased to not exceeding fifty thousand dollars, at the discretion of the stockholders, and shall be divided into shares of fifty dollars each, which shall be considered personal property, and be assignable and transferable, only, on the books of the company, under such regulations as the directors may establish.

Privileges, etc. § 3. The said parties and their associates, having subscribed seven thousand dollars, and having paid in above fifty per cent. on the same, as a company fund, and organized by choosing five directors, and those directors, hav-

Appointment of officers.

ing chosen a president and appointed a secretary and treasurer, and now, when they shall have filed a certificate of the same, under their private seal, signed by the president and secretary, in the office of the county court of Brown county, Illinois, said association shall be deemed fully organized and shall enjoy all the powers herein conferred.

§ 4. Said corporation shall have power to make and put in operation, all such by-laws and regulations, as they may may deem proper for the well ordering of its affairs: *Provided*, they be not repugnant to the laws of the United States, or of this state. To establish by-laws and regulations.

§ 5. Said corporation shall have full power and authority, to purchase and hold real estate and personal property, and to sell and convey the same; to borrow and loan money and pay and receive interest on the same, at the rates fixed by the statutes of this state; to lease and rent real estate, and receive and collect rents therefor; to sue and be sued in all courts of competent jurisdiction in the state of Illinois; and to possess and enjoy such rights, privileges and immunities as are necessary to carry out the purposes of the corporation. May hold and convey real estate.

§ 6 The real and personal property of each individual stockholder shall be held liable for all losses and liabilities of the corporation, to the amount of stock subscribed or held by him, and not actually paid in. Liability of stockholders.

§ 7. The business of the association shall be carried on in the town of Mt. Sterling, Brown county, Illinois. Place of business.

§ 8. The stock and affairs of said corporation shall be managed by three or more directors, who shall be stockholders of said corporation; they shall, after the first year, be elected annually, at such times as they may prescribe in their by-laws, and shall hold their offices for one year, and until their successors are elected and qualified. Ten days' notice shall be given of such election, by posting up written or printed notices, of the time and place of holding the same, in three of the most public places in Mt. Sterling, and all elections shall be by ballot, by the majority of the stock, allowing one vote for every share, either by person or by proxy; and in the case of death or resignation of the president or any director, the vacancy may be filled by the board of directors remaining in office, or by election of the stockholders, due notice being given thereof. Board of directors.

§ 9. This act shall take effect and be in force from and after its passage. Time and place of election.

APPROVED March 26, 1869.

In force March
31, 1889.

AN ACT to incorporate the Oneida Union Hall Association.

Corporators.	<p>SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That E. R. Prouty, Horace L. Saye, Alfred S. Curtis, David Hamilton, James Taylor, F. C. Smith and William Dingman, their associates, and all persons who are or may become stockholders, in the corporation hereby created, and their successors, shall be a body politic and corporate, by the name and style of "The Oneida Union Hall Association," and may have a common seal, and shall have power to plead and be impleaded, to have and exercise all powers incident to corporate bodies, and to elect and appoint all necessary officers, servants and assistants, to transact the business of the association; and shall be capable, in law, of purchasing, taking, holding, leasing and conveying all real estate, personal and mixed property, so far as the same may be necessary, to the full enjoyment of all rights and privileges granted in this charter.</p>
Name and style.	
Corporate powers.	
Amount capital stock.	<p>§ 2. The capital stock of said association shall not exceed twenty thousand dollars, to be divided into shares of one hundred dollars each, which shall be deemed personal property, and shall be transferable in such manner as its by-laws may prescribe; and it shall have power of borrowing money not exceeding the amount of the subscribed and paid up stock, and when three thousand dollars of the capital stock of said association is paid in, the stockholders may organize and proceed to business under this charter.</p>
Election of officers.	<p>§ 3. The corporate powers of said association shall be exercised and controlled by a president, secretary, treasurer and five trustees, to be elected by the stockholders of said association. Each share of stock shall entitle the holder thereof to one vote in the election of the officers of the association, and no person not a stockholder shall be elected or appointed to any office in said association.</p>
General powers.	<p>§ 4. The board of directors of said association, consisting of the president, secretary, treasurer, and five trustees, shall have power to call for the payment of the balance due on the subscription to the stock of this association, at such times as they may deem proper; and in the event of the non-payment of any subscription to the capital stock or any portion thereof, the payment thereof may be enforced by a suit at law in any of the courts of this state having jurisdiction, brought in the corporate name of said association against such defaulting stockholder, and the stock of such defaulting stockholder may be served by the officer having execution issued upon judgment rendered for the cause of action above named, and sold to the highest bidder for cash, the same as any other personal property, and the proceeds thereof shall be paid into the treasury of said association,</p>
Payment enforced by suit.	

or so much thereof as will satisfy said judgment and costs, and the residue, if any there be, shall be paid to the said defaulting stockholder; and the officer so selling such stock, shall deliver to the purchaser thereof a certificate of purchase, setting forth the number of shares sold to him, the date of sale, and the sum bid by him, and on filing said certificate in the office of the secretary of said association, and he shall thereupon succeed to the rights, privileges and immunities of a stockholder of said association.

§ 5. The stockholders of the association shall be held liable for all debts of the association, to an amount equal to the sum of or representative value of the shares of the stock held by them, and no more. Stockholders held responsible

§ 6. The first election of officers of this association shall be held within thirty days from the time this act becomes a law, and annually thereafter; such election shall be held at the place where the association usually transact their business, in the town of Oneida, Knox county, state of Illinois, under such regulations as may be by the by-laws of said association prescribed. Election of officers.

§ 7. The board of directors shall have power, and it shall be their duty, to declare dividends on the stock of said association, from time to time, at least once in each year, in such manner as may be provided by the by-laws of the association; and it is further provided, that the public hall erected and maintained by the said association, shall be exempt from county and municipal taxation of said town of Oneida. Duties of the directors

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

APPROVED March 31, 1859.

HEIRS AT LAW.

AN ACT to change the name of Georgie (her other name being unknown) to Clara Alma Fitch, and make her the heir-at-law of Thomas D. Fitch and Harriet W. Fitch. In force March 30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the name of Georgie (her other name being unknown), an infant, now residing with said Thomas D. Fitch and Harriet W. Fitch, in the city of Chicago, be and the same is hereby changed to, and that she shall hereafter be called and known as Clara Alma Fitch.*

Entitled to inheritance.

§ 2. That the said Clara Alma Fitch shall be, and she is hereby declared to be entitled to all the rights that would belong or pertain to her were she the daughter of the said Thomas D. Fitch and Harriet W. Fitch, and that the said Clara Alma Fitch shall, for all purposes whatsoever, be the heir-at-law of, and subject to the same control and restraint under the said Thomas D. Fitch and Harriet W. Fitch, as if she were the natural born child of the said Thomas D. Fitch and Harriet W. Fitch.

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

APPROVED March 30, 1869.

In force March 26, 1869. AN ACT to make Florence Eva Hamsher legal heir to Samuel W. Hamsher.

Preamble.

WHEREAS an infant, deserted by its mother, was found in the city of Decatur, county of Macon, and state of Illinois, in the month of September, in the year A. D. 1861; and, whereas, the said infant, at or about the age of four weeks old, was given, by the overseer of the poor of the said town of Decatur, into the care, custody and keeping of Samuel W. Hamsher, of the said city of Decatur, who took the said infant into his house and has, since that time, nurtured, cared for and maintained her in the same manner as if she had been his own child, and named her Florence Eva Hamsher; now therefore,

Legal heir.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the said Florence Eva Hamsher is hereby declared to be the lawful heir of the said Samuel W. Hamsher, to all intents and purposes, the same as if she had been the natural child of said Samuel W. Hamsher, born in lawful wedlock. *And be it further enacted,* that the said Samuel W. Hamsher shall have the sole control and custody of the said Florence Eva Hamsher, to the exclusion of all other persons, in the same manner as if he were the natural father and parent of her the said Florence Eva Hamsher.

§ 2. This act to be in force from and after its passage.

APPROVED March 26, 1869.

AN ACT to make Rosella Miller heir-at-law of Caleb Miller.

In force March
26, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Rosella Miller be and she is hereby made and constituted heir-at-law of Caleb Miller, of Union county, state of Illinois, in all things, as fully and to all intents and purposes as if she had been his child and born to him in lawful wedlock.* Legal heir.

§ 2. This act to be in force from and after its passage.

APPROVED March 26, 1869.

AN ACT entitled "An act to create an heir-at-law for a person therein named."

In force April
9, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Mary Ellen Shoup, wife of Cephas Shoup, deceased, be and the same is hereby made heir-at-law to the estate of David Vanhise—all of the county of Logan and state of Illinois.* Legal heir.

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

APPROVED April 9, 1869.

HORSE RAILWAYS—INCORPORATED.

AN ACT to incorporate the Alton and Greenwood Horse Railway and Carrying Company. In force March 26, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Edward Lewis, William A. Platt, George Brickelhaupt, Valentine Walter, their associates, successors and assigns, be and hereby are created a body politic and corporate, by the name of "The Alton and Greenwood 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.

§ 2. The said company is hereby authorized and empowered to construct, maintain and operate a single or double track railway or railways, with all the necessary and convenient tracks for turn-outs, side-tracks and appendages, Construction of roads, etc.

between the city of Alton and town of Greenwood, in Madison county, Illinois, and to construct, maintain and operate such single or double track railway or railways on, over and along any street or streets, highway or highways of said city of Alton, by and with the consent of the city [common] council of the said city of Alton.

General powers. § 3. And the said company are [is] also authorized and empowered to construct, maintain, continue and operate a single or double track railway or railways, from any place in said city of Alton to the town of Greenwood or Coal Branch—the last named towns lying two miles, more or less, in a northerly direction from said city of Alton; and said company may run and construct said railway or railways to any coal pit, or other place in or near said Coal Branch or town of Greenwood, as said company may deem expedient and proper.

Track, how laid § 4. The common council of said city of Alton, and the trustees or other proper authorities of said town of Greenwood, 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.

To open books for subscription. § 5. A majority of said persons named in the first section of this act, their associates, successors or assigns, may open books of subscription to the capital stock of said company—which capital stock shall be one hundred thousand dollars, and shall be divided into 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 ten thousand dollars, and five per cent. thereof paid in, a majority of said persons named in the first section of this act, their associates, successors or 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 a like term, unless sooner removed.

Privileges. § 6. Upon such organization said company may and shall have the right and privilege to establish and operate, upon and over the streets of said city of Alton, railways for carrying persons and things, and also between said city of Alton and town of Greenwood.

Private property may be taken. § 7. To enable said company to construct said railway or railways, 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 the general laws now in force providing for the condemnation of lands for purposes of internal improvement: *Provided*, that nothing herein contained shall be so construed as to interfere with

the vested rights of the Alton and Upper Alton Horse Railway and Carrying Company, incorporated by an act of the general assembly of Illinois, entitled "An act to incorporate the Alton and Upper Alton Horse Railway and Carrying Company," approved February 20th, 1867.

§ 8. Said company is hereby authorized to lay down and maintain its railways on, over and along any street or streets in said city of Alton, and towns of Greenwood or Coal Branch, subject, however, to such restrictions as may be imposed by the common council of said city of Alton for said city, and by the town authorities of said Greenwood or Coal Branch; and in all cases where vehicles shall meet the cars or carriages of said railway, within said city, or town or city, or between the same, said vehicles shall give way to said cars or carriages on said railway. May lay track
in streets.

§ 9. The said company is authorized 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 or railways, and pay therefor any interest, not to exceed ten per cent; and issue bonds, 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 rates or on such terms as the board of directors may determine. May borrow
money.

§ 10. 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 the rates of fare for passengers and freight. Subject to fu-
ture provisions

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

APPROVED March 26, 1869.

AN ACT to incorporate the Alton, Upper Alton and Greenwood Horse Railway and Carrying Company. In force March
31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That William Elliot Smith, Moses G. Atwood, Arby Nelson, Henry W. Billings, Henry S. Baker, A. Sumner Haskill, Lewis Kellenberger, Samuel A. Buckmaster and Robert B. Smith, their associates and assigns, be and are hereby created a body politic and corporate, by the name of "The Alton, Upper Alton and Greenwood Horse Railway and Carrying Company," for the term of fifty years, with all the powers and authority incident to corporations, for the purpose hereinafter mentioned.* Corporators.

Construction of
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 turn-outs, side-tracks and appendages, in the city of Alton and the towns of Upper Alton and Greenwood, in the county of Madison, and state of Illinois, and in, on, over and along such street or streets, highway or highways, between said city and towns, as may be necessary for the construction, operation and maintenance of said road.

Open books
for subscription

§ 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 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 term unless sooner removed.

Privileges.

§ 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 towns of Upper Alton and Greenwood, 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.

Private prop-
erty may be ta-
ken.

§ 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 the general laws of this state, now in force or to be hereafter enacted, providing for the condemnation of land for purposes of internal improvement, 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.

Powers of the
corporation.

§ 6. Said corporation is hereby authorized to lay down and maintain its said railway in, over and along any street or streets in said city of Alton and towns of Upper Alton and Greenwood (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 towns of Upper Alton and Greenwood for said towns, respectively), 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.

§ 7. The common council of the said city of Alton and the trustees of said towns of Upper Alton and Greenwood, respectively, 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. Track, how laid.

§ 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 an 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. Borrow money.

§ 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; but nothing herein contained shall be so construed as to give the said company the right to use any street or public highway now occupied by the Alton and Upper Alton Horse Railway Company. Subject to future legislation.

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

APPROVED March 31, 1869.

AN ACT to incorporate the Bloomington Fair Ground and Driving Park In force March 4, 1869.
Railway Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Richard H. Holder, N. S. Sunderland, Robert Nicolls, A. B. Ives, S. W. Noble, John E. McClun, C. W. Holder, K. H. Fell, Wm. Vale, T. N. Larrimore, Wm. Perry, James S. Ewing, and all such persons as shall become stockholders in the company hereby incorporated, shall be a body politic and coporate, by the name and style of "The Bloomington* Corporators.

ton Fair Ground and Driving Park Railway Company;”
 Corporate powers. 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, use and have 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.

Duration of corporation.

Construction of railway.

§ 2. The said corporation is hereby authorize and empowered to construct, maintain and operate a single or double-track railway for the transportation of persons and property, with all convenient side-tracks and turn-outs and appendages, from the fair ground, in the town of Bloomington, to the driving park, in said town, in, over, on and along any and all street or streets, highway or highways, bridge or bridges, which may be deemed by said company necessary to connect the said points within the present or future limits of the city or town of Bloomington, 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, procure the consent of the city council of the said city of Bloomington to the laying down of said track or tracks.

Animal power only to be used.

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

Amount 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, to one hundred thousand dollars. 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.

Board of directors.

Corporate powers, how vested.

§ 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 Richard H. Holder, N. S. Sunderland, Robert Nicolls, A. B. Ives, S. W. Noble, John E. McClun, C. W. Holder, K. H. Fell, Wm. Vale, John N. Larrimore, William Perry and James S. Ewing, 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 cast by the holder thereof, in person or by proxy—such directors to continue in office until their successors are elected and qualified.

§ 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 or 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. General powers.

§ 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 loans, on such terms and at such rates as the board of directors may determine. May borrow money.

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

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

APPROVED March 4, 1869.

AN ACT to incorporate the Blue Island Express Company and Dummy Railway. In force March 11, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Sanford B. Loring, Chandler Richards, A. H. Winslow, Francis Munson and Otto Schultz, and their associates, assigns and Corporators.

- successors, be (for the term of fifty years) and hereby are made a body corporate and politic, by the name and style of "The Blue Island Express Company and Dummy Railway," with all authority to sue and be sued, make contracts, have a common seal, make their own by-laws, and hold and enjoy so much real estate as may be necessary to their business, with power to condemn property, as specified by the laws of the state of Illinois.
- Name and style.** § 2. A majority of the persons named in section one of this act, or their respective associates, successors or assigns, may open books in the city of Chicago for subscriptions to the capital stock of said company, which capital stock shall be twenty thousand dollars, and may be increased, from time to time, to an amount not exceeding three hundred thousand dollars, as the stockholders may designate, and shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and transferable as such on the books of said company, in manner as provided by their by-laws.
- Corporate powers.**
- Open books for subscription.**
- Objects of the corporation.** § 3. The business of said corporation shall be that of carrying and transporting persons, baggage and packages, and for such purposes it shall be lawful for the said corporation to run their cars, carts, wagons or drays over, upon or across any street, alley, avenue, railroad, highway, park or public ground in the county of Cook, but not until after the approval and consent of the board of supervisors for said county shall have been obtained for that part which shall be outside of the limits of the city of Chicago, and not until after the approval and consent of the common council for that part which lies or shall lie in the city of Chicago; and with such authority it shall be lawful for said corporation to locate and operate a horse and dummy engine railroad, with one or more branches. And the said company may extend their railroad, or its branches, from time to time, subject to the same approval, and may construct and operate the same, with the necessary switches, turnout and sidetracks, and may 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.
- Extend railway.**
- Election of directors.** § 4. The management of said corporation shall be conducted by a board of directors, consisting of not less than three nor more than nine persons, who shall be elected annually by the stockholders, at such time and in such manner as the said corporation shall prescribe by its by-laws. The said directors shall hold their office until their successors are elected and qualified. They shall have power to appoint all officers and agents, and prescribe their duties; make by-laws, determine times when and the installments in which stock shall be paid. Each share of stock shall en-

title 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, to take effect and be in force from and after its passage.

APPROVED March 11, 1869.

AN ACT to incorporate the Dixon City Railroad of Dixon, Illinois.

in force March
25, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That James B. Charters, John Dement, Henry P. Becker, William H. Godfrey, William Uhl, James L. Camp, John T. Cheney, George L. Schuler, James K. Edsall, Andrew McPherran, Lorenzo Wood, Isaac Means, William H. Van Epps, and their associates, successors and assigns, be and they are hereby constituted a body corporate and politic, by the name and style of "The Dixon City Railroad," 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 vested with all the powers, privileges, immunities and franchises of receiving and disposing of real and personal estate, which may be needful in carrying into effect the purposes of this act; and said company is hereby authorized and empowered to locate, construct and complete a railroad, commencing at or near the depots on the Chicago and Northwestern railway or the Illinois Central railroad, connecting with either or both of said railroads, or any other railroads which may hereafter be built within or pass through said city, and running from thence on the most eligible route to the south side of the dam and water power, also located within said city limits.

Corporators.

Name and style.

Corporate powers.

§ 2. The capital stock of said company shall be one hundred thousand dollars, and may be increased by said company to the sum of three hundred thousand 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 election, and until others shall be duly elected and qualified to take

Amount of
capital stock.

their places as directors; and the said directors, a majority of whom shall form a quorum, shall elect one of their number to be president of the company, and shall have power to elect such other officers as they shall deem proper.

Construction
of railway.

§ 3. The corporation hereby created shall have power to locate, construct, furnish, maintain and operate a steam power or horse power railroad, with all necessary side-tracks, turnouts, switches; 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 object of this act.

May lay track
in streets.

§ 4. The city council of the city of Dixon shall have power to authorize and permit the said company to construct and operate their railroad upon any of the streets, avenues and alleys in said city, under such restrictions, rules and regulations as said city council may, at the time of granting such permission, establish by ordinance, and which ordinance shall become a part of this charter, when accepted and assented to by said company.

Width.

Private property
may be taken.

§ 5. The said company shall have the right to lay out and establish their railroad, not exceeding twenty 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 of said lands; and, in case of disagreement, then paying or tendering thereof such damages as shall have been settled by [or] appraised in the manner hereinafter provided.

When owner of
land is an infant
or femme covert

§ 6. If said company cannot agree with the owner or owners of land required for the purposes aforesaid, so as to procure the same by deed or voluntary act of such owners, or if the owners or occupiers, 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 in the general laws now in force, or which may hereafter be in force, providing for the condemnation of land for purposes of internal improvement.

Annual meeting
of the board.

§ 7. The time for holding the annual meeting 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.

May borrow
money.

§ 8. 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 de-

nominations not less than one 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 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 bonds, 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 corporation as if such bonds had been sold for the full amount thereof.

§ 9. 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-fourth of the stock of said road is subscribed, when they shall call a meeting of the stockholders, at the city of Dixon, having first given thirty days' public notice thereof, for the purpose of electing thirteen directors, to complete the organization of said company. The directors shall organize by electing one of their number 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; and the construction of said railroad shall be commenced within three and finished within five years from the date of this act, otherwise the same shall be null and void.

§ 10. 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.

APPROVED March 25, 1869.

AN ACT to incorporate the DuQuoin Horse Railway and Carrying Com- In force March
pany. 26, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Isaac M. Ncely, Hilory H. Taylor, Benjamin F. Pope, Sr., Andrew J. Alden, William Frizell and Isaac M. Kelly and John R. Teague, of the city of DuQuoin, in the county of Perry, and their associates, successors, heirs and assigns, are hereby created a body politic and corporate, by the name and style of "The DuQuoin Horse Railway Com-
pany," for the purposes hereinafter mentioned.

Construction
of railway.

§ 2. The said corporation is hereby authorized and granted the right (for the term of fifty years) from and after the passage of this act, to construct, maintain and operate a single or double track railway, with all necessary and convenient tracks for turnouts, sidetracks and appendages, in, on, over and along any of the streets and alleys, highway or highways, within the present or future limits of the city of DuQuoin, aforesaid: *Provided*, that the consent of the city council of said city shall first be given to the construction of such railroad upon any street of said city, before the company shall have power to construct its railroad over such street.

Open books
for subscription

§ 3. A majority of the above named incorporators, or their respective heirs, successors and assigns, may open books for subscriptions 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, if deemed necessary. Upon subscription being made to said capital stock of ten thousand dollars, and five per cent. thereof paid in, a majority of said corporators, or their respective successors, heirs and assigns, may call a meeting of the stockholders of said company, who shall hold their offices for one year and until their successors are elected. Said directors shall have power to appoint a president and other needful officers, any or all of whom shall give a good and sufficient bond for the faithful performance of their respective duties; said officers so appointed to continue in office for one year, unless removed for good cause.

Directors.

Corporate powers.

§ 4. All the corporate powers of said company shall be vested in a board of five directors, and such officers and agents as they may appoint; and said company may borrow money, purchase and sell real estate, not to exceed in amount enough to answer the necessities of said company, for the use and purposes hereinbefore mentioned, and may pay interest, not to exceed ten per cent., pledge and mortgage the said railway and its appendages, or any part thereof, as security for any loan of money and interest thereon; may sell and negotiate the bonds issued by said company, at such a rate of interest as may be deemed proper.

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

APPROVED March 26, 1869.

AN ACT to incorporate the East St. Louis Railway Company.

In force March
30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Vital Jarrot, John Trendly, Henry Oebike, John Steinert, Mortimer Millard, Joseph L. Griswold, and Thomas Winstanly, their associates, successors and assigns, be and they are hereby created a body politic and corporate, by the name and style of "The East St. Louis Railway Company," with all the powers incident to corporations, for the purposes hereinafter mentioned.

Corporators.

Name and style.

§ 2. 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 turn-outs, side-tracks and appendages, in the city of East St. Louis, and in and over Christy avenue and its extension across Cahokia creek, and along Missouri avenue to the city limits, 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.

Construction
of 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.

Amount of 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 Jarrot, Trendly, Oebike, Steinert, Millard, Griswold and Winstanly, 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 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.

Corporate powers.

Board of directors.

§ 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 cap-

Subscription
books opened to
capital stock.

ital 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 officers of said company. Such directors shall hold their offices 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 term unless sooner removed.

May lay track
in streets.

§ 6. Upon such organization said company may establish and operate said railroad in, on, over and along said Christy avenue, its extension to and across Cohokia creek and along Missouri avenue, of said city of East St. 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 said city of East St. 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.

May borrow
money.

§ 7. Said corporation is authorized and empowered to take, hold, mortgage and convey 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 to mortgage said railway and its appendages, and 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.

Time of com-
mencement.

§ 8. Said railway shall be commenced within two years from and after the passage of this act.

Subject to fu-
ture legislation.

§ 9 This act, and all the 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.

§ 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 30, 1869.

In force March 26, 1869. AN ACT to promote the construction of a horse railway in Evanston and New Trier.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, as follows: Julius P. Atwood, Philip B. Shumway, and Enoch*

G. Hooke, and their successors, be and the same are hereby created and constituted a body corporate and politic, by the name of "The Evanston and Winetka Horse Railway Company," 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, on, over and along such street or streets, highway or highways, bridge or bridges, or elsewhere within the present limits of the towns of Evanston and New Trier, as the supervisors of said town shall permit said corporation so to do, in such manner and [on] such terms and conditions and with such rights and privileges, as the said supervisors may prescribe for their said towns, respectively, but in such manner as not to obstruct the common travel of the public over said highways or streets: *Provided*, that in all cases where the cars or carriages of said railway shall meet, overtake or come up to carriages, teams or vehicles, not belonging to said railway, the latter shall give way to the former. Construction of railway.

§ 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 be issued and transferred in such manner and upon such conditions as the directors of said corporation may direct. Amount 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 shall consist of the said Julius P. Atwood, Philip P. Shumway, and Enoch G. Hooke, 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 offices until their successors are elected and qualified, and may fill 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. Corporate powers.
Directors.

§ 5. The said corporation is hereby authorized to extend the said railway, hereby authorized to be built, in the manner aforesaid, to any point within the said towns of Evanston and New Trier; and to enable said corporation to construct any and all the railways therein authorized, or their appendages, the said corporation is hereby vested with power to take and apply private property, for the purposes of this act, in accordance with the laws of this state Extension.

now in force or which may hereafter be in force in relation to the condemnation of right of way for railroad companies.

§ 6. Nothing herein shall be so construed as to authorize the company hereby incorporated to permit the cars of any other railroad whatever, propelled by steam engines of more than twenty horse power, to be run along or upon the railway of the company hereby incorporated.

Construction of
act.

§ 7. The said company hereby incorporated shall, within ten years from the passage of this act, erect, maintain and operate one railway from the village of Evanston to the village of Winetka; and upon failure so to do, this act and all the privileges and franchises hereby conferred shall cease and determine.

§ 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.

APPROVED March 26, 1869.

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In force March 30, 1869. AN ACT to incorporate the Paris Horse and Steam Railway Carrying Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That James L. Byrns, James A. Eads, George W. Redmon, Robert N. Parrish, William C. Walker, Silas H. Elliott, Lawson Kimball, Joseph A. Brown, and William D. Latshaw, and their associates and successors, heirs and assigns, be and they are hereby created a body corporate and politic, by the name of "The Paris Horse and Steam Railway Carrying Company," with all the powers and authority incident to corporations.

Corporators.

Name and style.

Construction.

§ 2. The said corporation may and shall have the right and privilege to establish and operate, upon and over the streets of the town of Paris (or city, as it may hereafter be), railways for carrying passengers, goods and commodities of all kinds, for the term of fifty years, from and after the passage of this act; and said corporation is hereby authorized and empowered to construct, maintain and operate a single track railway, with all the necessary and convenient tracks for turn-outs, side tracks and appendages, in the town of Paris (or city, as it may be), and in, on, over and along such street or streets, highway or highways, within the present or future limits of the said town (or city, as it may be,) of Paris: *Provided*, that said corporation shall have power to build and operate said railway along Market street, on the east side of the public square in said town (or city, as may be), familiarly known as the "Chicago Road," beginning or commencing (if the said corporation may deem

it best for their interest so to do, or at any other point they may elect), at or near the residence of George W. Redmon, directly south of the present corporation line, and continuing the same, on the line of said Chicago road, at or near to Mitchell and Parrish's flouring mill and James L. Byrns' distillery, about one mile north of the present corporation boundaries.

§ 3. The capital stock of said corporation shall be twenty 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, transferred and paid in such manner and upon such conditions as the board of directors of said corporation may direct. Amount of 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 such board of directors shall appoint. The first board of directors shall consist of James L. Byrns, James A. Eads, George W. Redmon, Robert N. Parrish, William C. Walker, Silas H. Elliott, Lawson Kimball, Joseph A. Brown, and William D. Latshaw, 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 place and in such manner as said corporation shall, by its by-laws and regulations, prescribe. The said directors shall hold their office until their successors are elected and qualified, and may fill any vacancy which may happen in the board of directors by death, resignation or otherwise. The said corporation may also adopt such laws, rules and regulations, for the government of the said corporation and the management of its affairs and business, as they may think just and proper, and not inconsistent with the laws of this state. Corporate powers.
Board of directors.

§ 5. The said corporation is hereby authorized to extend the said railway, herein authorized to be built in the manner aforesaid, to any point or points within the town of Paris (or city, as it may be); and to enable the said corporation to construct the railways herein authorized, 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: *Provided*, the town council (or city authorities, as it may be,) may regulate the manner and places of laying the railway tracks of 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 — cents per mile. Extend railway.

Regulate laying of track.

§ 6. In all cases, where vehicles shall meet cars or carriages of said railway, said vehicles shall give way to the Propelling cars.

cars or carriages on the railway; and the said corporation shall have authority, for the purpose of working said railway, to use either horses, mules, or engines, commonly called dummy engines, for the carrying of passengers, and may charge and collect fare therefor.

General powers. § 7. The said corporation may purchase, hold and use so much land as may be necessary to all its legitimate working functions, at such places and points along their line as may be deemed proper, and shall have power to purchase, take, hold, mortgage, lease and convey real estate. And the said corporation is further authorized and empowered 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 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 of said company, as security for the interest on any moneys borrowed by the said company, and to dispose of the bonds issued for said 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 30, 1869.

In force March 26, 1869. AN ACT to incorporate the Pekin Horse Railway and Carrying Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That George Gregg, Reuben Bergstresser, John P. Cohrs, Benjamin S. Prettyman, and Ties Smith, and all such persons as shall become stockholders in this company hereby incorporated, shall be a body corporate and politic, by the name and style of "The Pekin 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 and personal property as may be needful or convenient to fully carry out or into effect the

Corporators.

Name and style.

Corporate powers.

purposes and objects of this act. The corporation hereby created shall continue for a period of fifty years.

§ 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 side-tracks and turn-outs and appendages, in, over and along any and all street or streets, highway or highways, bridge or bridges, within the present or future limits of said city of Pekin, and in such manner as shall not obstruct the public travel over, on and along said street or streets, highway or highways, bridge or bridges, or materially impair such streets, highways 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 its route: *Provided*, that said corporation shall, before laying down any track or tracks of said railway or railways in the city of Pekin, procure the consent of the city council of said city of Pekin to the laying down of said track or tracks: *And, provided, further*, that said corporation, before laying down any track of said railway on any highway outside of said city of Pekin, procure the consent of the commissioners of highways of the township in which such highway may be situated.

Construction
of railway.

§ 3. The cars or carriages of said railway company shall not be propelled by other than animal power, without the consent of the city council of the city of Pekin.

Propel cars by
animal power.

§ 4. The capital stock of said railway 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.

Capital stock.

§ 5. All the corporate powers of said company shall be exercised by a board of directors, and such officers and agents as they shall appoint. The first board of directors shall consist of George Gregg, Reuben Bergstresser, John B. Cohrs, Benjamin S. Prettyman, and Ties Smith, and thereafter of not less than three nor more than seven 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.

Corporate
powers.

First board
of directors.

§ 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 laws and consti-

General powers

Rates of fare. tution 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.

May borrow money. § 7. The said corporation is hereby empowered to borrow, from time to time, such sums of money as, in the opinion of the 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 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.

Organization. § 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.

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

APPROVED March 26, 1869.

In force March 9, 1869. AN ACT to incorporate the Sangamon Railway Company, and to authorize the construction of horse railways, as in said act mentioned.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That John Williams, John W. Priest, George Bergen, Virgil Hickox, Adam Johnson, John H. Patterson, John A. Chestnut, Patricius Moran, and George N. Black, and their successors, are hereby created a body politic and corporate, by the name of the "Sangamon Railway Company," for the term of fifty years, with all the powers and authority incident to corporations, for the purposes hereinafter mentioned.

Construction of railway. § 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 turn-outs, side-tracks and appendages, in the city of Springfield, and in, on, over and along any street or streets, highway or highways, within the present or future limits of the city of Springfield, over or upon which the city council of said city of Springfield shall consent to the construction of the same; except on such street or streets, highway or highways, as the "Springfield City Railway Company" may have previously located a railroad.

§ 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.

Amount of
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 Williams, John W. Priest, George Bergen, Virgil Hickox, Adam Johnson, John H. Patterson, John A. Chesnut, Patricius Moran, George N. Black, 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 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.

Corporate powers.

First board of
directors.

§ 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 Sangamon, in this state: *Provided*, said company shall not construct said road upon or along any public highway in said county, outside of said city of Springfield, without the consent of the commissioners of highways of the township or the proper authorities of the incorporated town in which such highway is located. 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 the general laws now in force, or which may hereafter be in force, providing for the condemnation of lands for purposes of internal improvement.

Extend railway

§ 6. The said corporation is hereby authorized to lay down and maintain its railway or railways in, upon, over and along any common highway in said county, but in such manner as not to obstruct the common travel of the public over the same. In all cases, when vehicles shall meet the cars or carriages of said railways, either in the city or country, 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.

Lay tracks on
public highways

§ 6. 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 March 9, 1869.

HORSE RAILWAYS—NEW PRIVILEGES.

In force March 29, 1869. AN ACT to amend an act entitled "An act to incorporate the Alton and Upper Alton Horse Railway and Carrying Company," approved February 20, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the board of directors or superintendent of said company shall be and they or he are hereby required to make report semi-annually, to the stockholders, of the receipts and expenditures and the general business of said company.

Semi-annual report.

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

APPROVED March 29, 1869.

In force March 11, 1869. AN ACT to authorize the Chicago City Railway Company to use dummy steam engines outside the city of Chicago.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Chicago City Railway Company, by and with the consent of the respective boards of trustees of the several towns of Cook county, in any township outside of the city of Chicago, and within which any of its lines may be constructed, may acquire the right to operate and may operate its said lines with steam dummy engines.

Steam dummies.

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

APPROVED March 11, 1869.

AN ACT to amend an act entitled "An act to incorporate the Jacksonville In force March
Railway Company," approved February 25, 1867. 31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That a ma- Organization.
jority of the persons named in the act of incorporation, to which this is an amendment, incorporators, after the subscription to the capital stock to said company shall have been made and the per cent. thereof shall have been paid in, as is required by the eighth section of said act of incorporation, may proceed to the organization of said company, by calling a meeting of the stockholders in said company; which stockholders shall choose the first board of directors of said company, to consist of not less than three nor more than seven of the stockholders in said company, whose term of office shall run for one year from the date of the organization of said company, and until their successors are elected and qualified.

§ 2. That all the provisions of the act of incorporation to which this is an amendment, so far as the same are in- Conflicting acts
consistent with this act of amendment, are hereby repealed. repealed.

§ 4. This act is hereby declared to be a public act, and to take effect from and after its passage.

APPROVED March 31, 1869.

HOTEL COMPANIES—INCORPORATED.

AN ACT to incorporate the Central Hotel Company.

In force April
9, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Myron Corporators.
C. Tucker, Henry W. Wallingford, and all persons that may become stockholders in the capital stock of the corporation hereby created, for the purpose of building a hotel in the city of Chicago, are hereby constituted a body corporate and politic, under the name and style of "The Central Hotel Company;" and, by that name or any other they may choose to adopt and enter upon the records of said company, they and their heirs and assigns shall have perpetual succession, and may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts of law and equity; and may have 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 reasonably

Name and style.
Corporate pow-
ers.

necessary, useful or convenient to accomplish the object of the corporation hereby created. Said corporation shall have power to prescribe the number, character and duties of its officers and appoint the same; and have and enjoy all the rights, privileges and advantages, and be subject to all the liabilities of a body corporate and politic; and, from time to time, make such rules, regulations and by-laws, for the transaction of its business and the government of its officers and affairs, as they may deem proper: *Provided*, the same shall not be inconsistent with the laws and constitution of this state.

Amount of
capital stock.

§ 2. The capital stock of this corporation shall be two hundred thousand dollars, which may be increased by said company or its board of directors to any amount not exceeding two million 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 provide. The stockholders of said corporation shall be entitled to one vote for each share of stock held, respectively, by such stockholders. The property of said corporation, and not the stockholders, shall be taxed as other property is taxed under the laws of this state.

Open books
for subscription

§ 3. The incorporators herein named are authorized to open books for subscription to the capital stock of said company, at such time and place as they may think proper, in the said city of Chicago; and, when two hundred thousand dollars of said stock shall be subscribed, they shall be authorized and it is hereby made their duty to call a meeting of the stockholders, for the purpose of electing directors, at such time and place as they may direct—five days' notice of which shall be given, by advertisement in one of the daily newspapers printed in the city of Chicago.

Corporate powers.

Board of directors.

§ 4. The corporate powers of said company are hereby vested in and are to be exercised by a board of not less than three nor more than seven directors, by whom the business and affairs of said company shall be conducted. Said board shall be elected annually by a majority in interest of the said stockholders of said company present at any election and voting in person or by proxy, at such time and place as may be prescribed by the by-laws of said company. Said board of directors shall have power to fill vacancies in their body, and shall, respectively, hold their offices for one year and until their successors are duly elected and enter upon their duties. A majority of the directors shall constitute a quorum for the transaction of business. Such directors, when elected, shall choose one of their body as president, who shall hold his office for one year and until his successor is elected; and they may appoint a secretary and treasurer and such other officers, agents and servants as, from time to time, may be deemed advisable. They shall be

authorized to require of the trustees a bond, with such security and in such penalty and with such conditions as may be prescribed by the by-laws of said corporation or the order of said directors.

§ 5. Said corporation shall have power to construct and Erect hotel.

maintain a hotel, in the city of Chicago, and may acquire property, both real and personal, reasonably necessary or convenient therefor; and may hold and convey the same, and may rent or lease such hotel and all stores, shops or other buildings connected therewith, whether immediately connected with said hotel or not, to such person or persons and upon such terms and for such time and upon such conditions as they may think proper; and they may keep, maintain, conduct and superintend the same, and employ such officers, agents and servants as, from time to time, may be deemed necessary therefor. 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 secure the same by mortgage of its real estate or personal property, or both, or of any part thereof. Such bonds may be sold at such rates as the directors may agree to. Powers of the directors.

Said corporation 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 or the directors may prescribe; and upon a failure to pay the same, as required, the corporation may sue for and collect the amount due on the same, with legal interest, or it may forfeit the shares of such delinquent stockholder to the company, or sell the same, on such notice as the by-laws or rules of such corporation may prescribe; and the amount received upon such sales shall be applied, first, to the discharge of whatever amount may be due from such stockholder, including interest, by reason of such delinquency, and of all costs of such sale, and the balance, if any, shall be paid over to such stockholder. The said corporation is hereby authorized to adopt any name for said hotel which shall be agreed upon by a majority of the board of directors, and, generally, to use and exercise all the powers and privileges that may be necessary for carrying out the provisions of this act.

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

APPROVED April 9, 1869.

In force March
24, 1869.

AN ACT to incorporate the Chicago Hotel Company.

Corporators.	<p>SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That William F. Coolbaugh, Clinton Briggs, Nathaniel P. Wilder, Solomon Smith, Nathan Corwith, Timothy B. Blackstone and James E. Tyler, and all such other persons as may subscribe for stock in an association formed for the purpose of building a hotel in the city of Chicago, are hereby constituted and declared a body politic and corporate, under</p>
Name and style. Corporate powers.	<p>the name and style of "The Chicago Hotel Company;" and by that name or any other they may choose to adopt and enter upon the records of said company, they and their assigns shall have perpetual succession, and, as such, may contract and be contracted with, sue and be sued, plead and be impleaded, in all the courts, both 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 object of said association, and may convey the same. Said association shall have power to prescribe the number, character and duties of its officers, and have and enjoy all the rights, privileges and advantages, and be subject to all the liabilities of a body corporate and politic; and, from time to time, may make such rules, regulations and by-laws, for the transaction of its business and the government of its officers and affairs, 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.</p>
Amount of capital stock.	<p>§ 2. The capital stock of said corporation shall be five hundred thousand dollars, which may be increased by said company to any amount not exceeding one million 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 provide. The stockholders of said corporation shall be entitled to one vote for each share of stock held, respectively, by such stockholder, in the business meetings of such stockholders.</p>
Open books for subscription.	<p>§ 3. The corporators herein named, or a majority of them, are hereby authorized to open books for subscription to the capital stock of said company, at such time and place as they may think proper, in the said city of Chicago. And whenever one hundred thousand dollars of said stock shall be subscribed, they, or a majority of them, shall be authorized, and it is hereby made their duty, to call a meeting of the stockholders for the purpose of electing directors, at such time and place as they may direct—five days' notice of</p>

which shall be given to them, by advertisement in some one of the daily newspapers printed in the city of Chicago.

§ 4. The corporate powers of said company are hereby vested in and are to be exercised by a board of not less than three nor more than five directors, by whom the business and affairs of said company shall be conducted. Said board shall be elected annually, by a majority in interest of the said stockholders of said company voting, in person or by proxy, at such time and place as may be prescribed by the by-laws of said company; and such board of directors shall have power to fill vacancies in their body, and shall hold their offices for one year and until their successors are duly elected and qualified. A majority of the directors shall constitute a quorum for the transaction of business; and such directors, when elected, shall elect one of their body president, who shall hold his office for one year and until his successor is elected; and they may appoint a secretary and treasurer, and such other officers and agents as, from time to time, may be deemed advisable; and shall be authorized to require of the treasurer a bond, with such security and in such penalty and with such conditions as may be prescribed by the by-laws of such corporation. Said corporation shall have power to construct and maintain a hotel in the city of Chicago; and may acquire property, both real and personal, needful or convenient therefor, and may hold and convey the same; and may rent or lease such hotel, and all stores, shops and other buildings connected therewith, whether immediately connected with said hotel or not, to such person or persons and upon such terms and on such time and upon such conditions as they may think proper, or they may keep, maintain, conduct and superintend the same, and employ such officers, agents and servants as, from time to time, may be deemed necessary therefor. 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 secure the same by mortgage of its real or personal property, or both, or of any part thereof. Said corporation shall have power to require the 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 may sue for and collect the amount due, or it may forfeit the shares of such delinquent stockholders to the company, or sell the same on such notice as the rules or by-laws of such corporation may prescribe; and the amount received upon such sales shall be applied, first, to the discharge of whatever amount may be due from such stockholder, by reason of such delinquency, and of all costs of such sale, and the

Corporate powers.

Board of directors.

Appointment of officers.

General powers.

Compel payment.

balance, if any, shall be paid over to such stockholder. The said company is hereby authorized to adopt any name for said hotel which shall be agreed upon by a majority of the board of directors, and, generally, to use and exercise all the powers and privileges that may be necessary and convenient for carrying on the business of said hotel and for the accomplishment of the objects intended by the provisions of this act.

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

APPROVED March 24, 1869.

In force March
29, 1869.

AN ACT to incorporate, the Elmwood Hotel Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Hugh Anson, E. F. Smith, Harvey Truax, Addison L. Tracy, N. S. Barber, L. F. Jones, J. A. Vandervoort, John Leet, Harlan P. Tracy, and their associates, are hereby created a body corporate and politic, by the name and style of

Name and style.

"The Elmwood Hotel Company;" and, by that name and style, shall have perpetual succession; may sue and be sued, have a common seal, make contracts, borrow money, and own, occupy or transfer so much real estate as shall be necessary for their business; make, alter and repeal all needful by-laws, for the proper government of the company; and have and enjoy all the rights, privileges and franchises, and be subject to all the liabilities usually pertaining to corporations for such purposes.

Erect hotel.

§ 2. The said company are hereby authorized to erect, purchase or hire a hotel in the town of Elmwood, in the county of Peoria, and state of Illinois; and may maintain, operate or lease 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 shall not exceed one hundred thousand dollars, divided into shares of one hundred dollars each, to be subscribed and paid for in such manner as the corporators shall provide.

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

APPROVED March 29, 1869.

AN ACT to incorporate the Galesburg Hotel Com pan

In force March
29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That L. E. Conger, Francis Fuller, W. Selden Gale, Alfred Kitchell, James B. Boggs, John Becker, Henry R. Sanderson, Edward R. Adams, Richard H. Whiting, George V. Dieterich, George Ekins, Charles E. Grant, Charles B. Lawrence, William N. Phillips, David H. Frisbie, John B. Colton, David Greenleaf, Benjamin Lombard, jr., David Sanborn, Orson T. Johnson, Timothy Mosier, Timothy Nash, John C. Stewart, Marcus Belden, Edwin Post, William Davis, Alexander Innues, T. Judson Hale, Loyal C. Field, Henry Hitchcock, Josiah Babcock, Timothy G. Hadley, Oscar F. Price, Clark E. Carr, J. P. Chapman, George W. Brown, Clement Leach, jr., Alfred Knowls, Charles Waste, William H. H. Claycomb, Abram O. Redfield, and all such other persons that they may associate with them, are hereby constituted and declared a body politic and corporate, by the name and style of "The Galesburg 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.

Corporators.

Corporate name
and powers.

§ 2. Said corporation shall have power to erect, build, furnish and maintain a hotel, in the city of Galesburg; and the capital stock of said company shall be two hundred thousand dollars. Said company shall have the power to increase the same to three hundred thousand dollars; which stock shall be divided into shares of fifty dollars each; and said 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 said stockholders.

Erect hotel.

§ 3. Whenever ten thousand dollars shall be subscribed to the capital stock of said company, said company may proceed to organize, make calls on 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

Capital stock.

have power to fit up, use or lease any portion of said hotel building, for any purpose they may deem proper.

May borrow
money.

Powers and pri-
vileges.

§ 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 time 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, on 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 said stockholder: *Provided*, that if the purchaser of said stock shall be other than said company, he shall be liable for whatever amount of subscribed 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 deemed a public act, and be in force from and after its passage.

APPROVED March 29, 1869.

In force March
27, 1869.

AN ACT to incorporate the Greenville Hotel Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That John B. Reid, John B. Hunter, William S. Smith, Jedrah F. Alexander, Williamson Plant, Henry Wait, Charles Hoiles, Andrew G. Henry, John A. Leverton, George C. McCord, and Abraham McNeil, and all such other persons as may subscribe for stock in the association, formed for the purpose of building a hotel in the town of Greenville, Bond county, state of Illinois, are hereby constituted and declared a body politic and corporate, by the name and style of the "Greenville 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

Corporate name
and powers.

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 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.

§ 2. Said corporation shall have power to erect, build, Erect hotel. and maintain a hotel in the town of Greenville, and the capital stock of said company shall be 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 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 five thousand dollars shall be subscribed Amount capital stock. 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, or saloons, as they may deem proper.

§ 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 convey in pledge, or 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 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 and by-laws of said corporation may prescribe, which may be in force and set forth in the books of said company, at the time when such delinquent stockholders shall subscribe for stock in said company; 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 stock shall

Delinquent stockholders.

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, in any court having jurisdiction.

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

APPROVED March 27, 1869.

In force March
18, 1869.

AN ACT to incorporate the Hinsdale Hotel Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Amos T. Hall, Henry F. Walker and O. J. Stough, and all such other persons as may subscribe for stock in an association formed for the purpose of building a hotel in the town of Hinsdale, in the county of DuPage, and state of Illinois, are hereby constituted and declared a body politic and corporate, by the name and style of "The Hinsdale Hotel Company;" and, by that name and style, 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 and estate as may be reasonably necessary, useful or convenient, to accomplish the objects and purposes of such corporation, and convey the same. Such 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: *Provided*, the same shall not be inconsistent with the laws and constitution of this state and of the United States.

§ 2. Said company shall have and is hereby vested with power to erect and finish, in complete order, a hotel in said town of Hinsdale, in said county of Du Page, and is hereby authorized to carry on the business of the hotel in said town, and to use and exercise all powers and privileges that may be necessary or convenient to carry on said business, or they may lease or rent said hotel and other buildings connected therewith to such person or persons as they may think proper and on such terms and conditions as they may think proper, and either with or without the furniture and other personal property connected with said hotel, or they may lease any portion of said building for stores or offices or to be used in such other manner as they may deem proper.

§ 3. The capital stock of said company shall not be less than eight nor more than fifty thousand dollars, and shall be divided into shares of one hundred dollars each; and each share shall be considered personal property, and may be transferred in such manner as such corporation may provide. The stockholders of such corporation shall be entitled to one vote for each share of stock held, respectively, by each stockholder, in all the business meetings of such stockholders.

Amount of
capital stock.

§ 4. The corporators herein named are authorized to open books in the village of Hinsdale, at such time and place as they may deem proper, for the subscription of the capital stock of said company; and when eight thousand dollars of such capital shall be subscribed the said corporators are hereby authorized and it shall be their duty to call a meeting of such stockholders, to be held at such place in the village of Hinsdale as they shall designate, of which meeting notice shall be given to the stockholders thereof, either personally or by advertisement in a newspaper printed in said county, for ten days next preceding such meeting, for the election of not less than three nor more than five directors, by whom the affairs of such corporation shall be conducted. Said directors shall hold their office for one year and until their successors are duly elected and qualified; and they shall appoint or elect one of their number to be president of said corporation; and said corporation may appoint such other officers, agents and servants as they shall think proper; and as soon as said corporation is organized it may make calls upon its stock and proceed to carry out the objects of such corporation.

Open books for
subscription.

Term of office.

§ 5. Said corporation shall have power to borrow money, at such rates of interest, not exceeding ten per cent. per annum, and to issue its bonds therefor, and may convey, in pledge or by way of mortgage, as security therefor, the property, real and personal, of said corporation, or any part thereof; and 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 a failure to pay the same as required, such corporation shall have power, either to forfeit the shares of such delinquent stockholders to the company or to sell the same, upon such regulations as the rules and by-laws of such corporation may prescribe; and the amount received from such sale shall be applied, first, to the discharge of whatever may be due by such stockholder by reason of such delinquency and of all costs of such sale, and the balance, if any, shall be paid over to such stockholders: *Provided*, that if the purchaser of said stock shall be other than said company, he shall be liable

Borrow money.

Call for pay-
ments due.

for whatever amount of such stock shall be 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 said delinquent stockholder the amount of such calls, by the action of debt or assumpsit.

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

APPROVED March 13, 1869.

In force April
9, 1869.

AN ACT to incorporate the Inter-Oceanic Hotel Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That David A. Gage, George W. Gage, John A. Rice, A. J. Averill, Charles B. Brown, J. Young Scammon, William F. Coolbough, Solomon A. Smith, Benjamin V. Page and George M. Pullman, and all such other persons as may subscribe under this act for stock in an association formed for the purpose of building a hotel in the city of Chicago, are hereby constituted and declared a body politic and corporate, under the name and style of "The Inter-Oceanic Hotel Company;" and, by that name or any other they may choose to adopt and enter upon the records of said company, they and their assigns shall have perpetual succession, and, as such, may contract and be contracted with, sue and be sued, plead and be impleaded (by attorney or otherwise), in all the courts both 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 object of said association, and may convey the same. Said association shall have power to prescribe the numbers, character and duties of its officers and appoint the same, and have and enjoy all the rights, privileges and advantages, and be subject to all the liabilities of a body corporate and politic, and, from time to time, may make such rules, regulations and by-laws for the transaction of its business and the government of its officers and affairs 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.

Amount capital
stock.

§ 2. The capital stock of said corporation shall be one million of dollars, which may be increased by said company or its board of directors to any amount not exceeding two million of 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 such corporation may provide. The stockholders of said corporation shall be entitled to one vote to each share of stock held, respectively, by such stockholders in the business meetings of such stockholders. The property of said corporation, and not the stockholders, shall be taxed as other property is taxed under the laws of this state. The principal office of the corporation hereby created shall be located in the city of Chicago, Cook county.

§ 3. The corporators herein named, or a majority of them, are hereby authorized to open books for subscription to the capital stock of said company, at such time and place as they may think proper, in the said city of Chicago; and when five hundred ~~thousand~~ dollars of said stock shall be subscribed, they, or a majority of them, shall be authorized and it is hereby made their duty to call a meeting of the stockholders, for the purpose of electing directors, at such time and place as they may direct—five days' notice of which shall be given to them by advertisement in some one of the daily newspapers printed in the city of Chicago.

Open books
for subscrip-
tion.

§ 4. The corporate powers of said company are hereby vested in and are to be exercised by a body of not less than three nor more than seven directors, by whom the business and affairs of said company shall be conducted. Said board shall be elected annually, by a majority in interest of the said stockholders of said company present at any meeting and voting in person or by proxy, at such time and place as may be prescribed by the by-laws of said company. Such board of directors shall have power to fill vacancies in their body, and shall, respectively, hold their offices for one year and until their successors are duly elected and enter upon their duties. A majority of the directors shall constitute a quorum for the transaction of business. Such directors, when elected, shall choose one of their body as president, who shall hold his office for one year and until his successor is elected; and they may appoint a secretary and treasurer and such other officers, agents and servants as, from time to time, may be deemed advisable. They shall be authorized to require of the treasurer a bond, with such security and in such penalty and with such conditions as may be prescribed by the by-laws of said corporation or the order of said directors.

Corporate pow-
ers.

Board of di-
rectors.

Officers, etc.

§ 5. Said corporation shall have power to construct and maintain a hotel in the city of Chicago; and may acquire property, both real and personal, needful or convenient therefor, and may hold and convey the same, and may rent or lease such hotel and all stores, shops and other buildings connected therewith, whether immediately connected with said hotel or not, to such person or persons, and upon such terms and on such time, and upon such conditions as they may think proper, and they may keep, maintain, conduct

Erect hotel.

and superintend the same, and employ such officers, agents and servants as, from time to time, may be deemed necessary therefor. 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 secure the same by mortgage of its real and personal property, or both, or of any part thereof. Such bonds may be sold at such rates as the directors may unanimously agree to. Said corporation 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 or the directors may prescribe, and upon a failure to pay the same, as required, said corporation may sue for and collect the amount due on the same, with interest at ten per cent., or it may forfeit the shares of such delinquent stockholders to the company, or sell the same on such notice, as the by-laws or rules of such corporation may prescribe; and the amount received upon such sales shall be applied, first, to the discharge of whatever amount may be due from such stockholder, including interest at ten per cent., by reason of such delinquency, and of all costs of such sale; and the balance, if any, shall be paid over to such stockholder. The said corporation is hereby authorized to adopt any name for said hotel which shall be agreed upon by a majority of the board of directors, and generally to use and exercise all the powers and privileges that may be necessary or convenient for carrying on the business of said hotel and for the accomplishment of the objects intended by the provisions of this act.

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

APPROVED April 9, 1869.

In force March 3, 1869. AN ACT to incorporate a hotel company in the city of Kankakee, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That William G. Swannell, James McGrew, James M. Perry, James Mix and Emery Cobb, and all such other 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 "The Kankakee Hotel Company."*

§ 2. The capital stock of said company shall consist of fifty thousand dollars, with power to increase the same to one hundred thousand dollars, to be divided into shares of

Borrow money.

Stock of delinquents, sale of.

Corporators.

Name and style.

Amount capital stock.

one hundred dollars each; 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.

§ 3. Said corporation shall have power to plead and be impleaded, sue and be sued, contract and be contracted with, and shall, also, have power to acquire and hold real estate in the city of Kankakee, in the county of Kankakee, 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.

Corporate powers.

§ 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.

Board of directors.

Powers.

§ 5. Said corporation is hereby authorized to adopt a seal, with power to alter or change the same at pleasure, and make by-laws for the management of its affairs, not inconsistent with this act or the laws and constitution of this state or the United States; 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 purpose 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, not exceeding ten per cent. per annum.

General powers.

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

APPROVED March 30, 1869.

AN ACT to incorporate the Lombard Hotel Company.

In force March 30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Josiah L. Lombard, of Chicago, Illinois; Isaac Claffin, D. C. Furguson, B. J. Sweet, N. S. Cushing, Wm. R. Plum, of Lombard, DuPage county, Illinois, and their associates, are hereby declared and constituted a body politic and corporate, by the name and style of "The Lombard Hotel Company;" and, by that name and style, shall be capable of*

Corporators.

Name and style.

Corporate powers. suing and being sued, pleading and being impleaded, answering and being answered unto, in all courts of law and equity, and may have a common seal and may 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 may convey the same.

Erect hotel. § 2. The said company hereby created shall have power to erect and furnish, in complete order, a hotel, in the town of Lombard, DuPage county, Illinois; and it is hereby authorized to carry on the business of a hotel in said town, and to use and exercise all powers and privileges that may be necessary for carrying on said business.

Amount capital stock. § 3. The capital stock of said company shall be not less than ten thousand (10,000) dollars nor more than forty thousand dollars, divided into shares of fifty dollars each; and the corporators herein named, or a majority of them, are hereby authorized to appoint three commissioners to receive subscriptions for said stock; and such subscriptions shall be held at such times and places as the commissioners, or a majority of them, may appoint, by notice published in any newspaper printed and published in DuPage county, or by other published notice, as the said commissioners may deem proper. If the requisite number of shares shall not be subscribed for at the times and places appointed for such subscriptions, said commissioners, or a majority of them, shall take such measures for completing such subscriptions as they may deem expedient and proper. Every subscriber shall, at the time of subscribing or within two weeks thereafter, pay to said commissioners the sum of five dollars for each share subscribed, and the remainder at such times and in such sums as shall be required by said company.

Capital stock. § 4. Whenever five thousand dollars shall be subscribed to the capital stock of said company, said commissioners shall appoint a time and place, by advertisement, as aforesaid, for the meeting of said subscribers, for the purpose of choosing a secretary, treasurer, and nine directors. Every stockholder shall be entitled, at such and all other elections of said company, to one vote for each share of stock he may hold or represent by proxy. The first Monday of the month in which said election is held shall be the annual day for holding all subsequent elections for such officers. A majority of the directors so chosen shall be a quorum, and shall be capable of transacting the business of the corporation; and any act of the majority shall be binding on the corporation.

Election of president. § 5. The said directors, when elected as aforesaid, shall immediately proceed to elect one of their number president; and the said president and directors may meet, from time to time, and shall have power to make and establish all such

by-laws, rules and regulations as shall be necessary, and not inconsistent with the constitution and laws of the United States or of this state, and not especially provided for by this charter, for the transfer or payment of the stock or property of said company and for the direction of the affairs of said company.

§ 6. Said company shall have power to borrow money, ^{May borrow money.} at such interest, not exceeding ten per cent., as may be agreed upon, in such sums as they may deem necessary, to erect buildings for the purposes mentioned in the second section of this act, and to mortgage all their corporate property, real and personal, for the security of the payment of the same; and said mortgages, when signed by the president and secretary, shall be a lien upon the property of the company. Said company, by its officers, 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 company may prescribe, and a failure to pay the same as required, said company 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 and by-laws of said company may prescribe, and the amount received upon 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 and collecting from such delinquent stockholder the amount due upon such calls, by action of debt or assumpsit.

Collection of
subscriptions to
be enforced.

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

APPROVED March 30, 1869.

AN ACT to incorporate the Marshall Hotel Company.

In force June
19, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That William G. Bowman, Martin Innman, John A. Callicott, John N. Wasson and Joseph W. Redden, be and they are hereby constituted a body politic and corporate, by the name and style of "The Marshall Hotel Company;" and, by that

Corporators.

Name and style.

Corporate pow- name, they and their successors shall have perpetual suc-
ers. cession, 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, not inconsistent with the laws of this state, or of the United States, 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.

Objects of the § 2. The object and business of said corporation shall
corporation. be to purchase ground in Shawneetown 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 grounds and place thereon the necessary buildings and improvements or to purchase grounds, improve 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.

May hold and convey real estate.

Amount capital stock. § 3. The capital stock of said company shall not exceed 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.

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

Pay subscriptions by installments. § 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 each, every month thereafter, until the whole amount subscribed is paid.

§ 6. Whenever ten thousand dollars of said stock is subscribed for, the incorporators herein named shall notify the subscribers thereof and notify 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 Shawneetown, at least ten days before the time fixed for the election.

§ 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.

Election, time and place of.

§ 8. The directors, when elected, shall appoint one of their number 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.

Appointment of 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.

Mode of conducting future elections.

§ 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 deemed personal property.

§ 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 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*.

Powers of the directors.

APPROVED March 30, 1869.

AN ACT to incorporate the Mattoon Hotel Company.

In force March 27, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Stephen D. Dole, Joseph C. Dole, Charles M. Dole, William P. Dole, Jacob O. Rudy, Alonzo Eaton, John W. True, Ambrose Kern, Myron J. Fergerson, Charles G. Weymouth, Joseph H. Clark, Hiram Cox, James H. Clark, Simon W. True, Samuel Smith, William F. Miller, Horace S. Clark, William Middlesworth and Samuel Warner, with such other persons as are or may become stockholders in the Mattoon Hotel Company, are hereby incorporated a body politic and corporate, by the name and style of "The Mattoon Hotel Company;" and, by that name, they and their successors shall have succession, and shall be capable in

Corporators.

Corporate name and powers.

law and equity of suing and being sued, pleading and being impleaded, in all courts and places whatsoever; may have a common seal, and alter the same at pleasure; and they and their successors may, also, by that name and style, be capable in law of purchasing, holding and conveying such estate real, personal or mixed, as may be necessary to effect the object of this act of incorporation.

Erect hotel.

§ 2. The said company shall have power to erect, purchase, complete and maintain a hotel in the city of Mattoon, Illinois, and to use such powers and privileges, in the accomplishment of said objects and in the management of said hotel, not inconsistent with the laws of this state or of the United States, as may be deemed necessary and expedient by said company.

Open books for subscription.

§ 3. At any time after the passage of this act, it shall be lawful for any two of the aforementioned corporators, after giving at least ten days' notice of the time and place in some newspaper in said city, to open books for subscription to the capital stock of said company; which stock shall be not less than five nor more than fifty thousand dollars, and shall be divided into shares of one hundred dollars each; and when such subscription shall amount to the sum of ten thousand dollars or more, the said corporators giving such notice, as aforesaid, shall call a meeting of said stockholders, after giving notice to each, at least five days prior to such meeting, to each of said stockholders, said meeting to be held at some convenient place in said city.

Election of directors.

§ 4. At said meeting the stockholders of said company shall proceed to elect five directors, who shall manage, direct and govern the affairs of said company one year from the period of their election and until their successors are elected and qualified. At every election each stockholder shall be entitled to one vote for each share of stock he may hold; and a majority of all the votes given shall be required to make an election. 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 annual meeting, or otherwise provided for by the by-laws of said company: *Provided*, that in case no election shall be held at the time provided for, as above, then such election may be held at any meeting of stockholders, called by any five or more of them, by giving notice of the time and place thereof in some public newspaper published in the said city of Mattoon.

Annual election.

First meeting.

§ 5. Within ten days after the directors are chosen, as aforesaid, they shall hold a meeting, at which and at all subsequent meetings of the board, a majority shall constitute a quorum, and shall be capable of transacting any business of said company. They shall proceed at their first meeting to choose a president from their own body, a

secretary (who may or may not be a stockholder in said company), who shall be sworn before some justice of the peace or other officer competent to administer oaths to faithfully discharge his duties as such secretary, and shall record all votes and proceedings of said corporation or said board of directors in a book to be provided for that purpose, and perform such other duties as may be enjoined upon him by the by-laws of said incorporation, and shall give bond to such an amount and in such manner as said directors may direct; they shall also appoint a treasurer, who shall in like manner be sworn, give bond and keep a record of his proceedings, and shall perform such duties as may be enjoined upon him by the by-laws of said company; which said bonds may be sued upon, and recovery thereon had for any breach thereof, in any court having jurisdiction; and the said board shall appoint all other agents and officers, as to them shall seem necessary, for the proper and convenient management of the business and affairs of the said corporation.

Officers.
Duties of the treasurer.

§ 6. The said corporation shall have power to purchase and hold such real estate as may be necessary for the erection of a first class hotel,^{*} of all necessary out-buildings and stabling, in order to maintain a first class hotel.

May hold and convey real estate.

§ 7. The corporation, by its board of directors, shall have power to call in such portion of the stock subscribed every thirty days, as they may think proper, to be paid at such time and place as they may designate, by giving twenty days' notice to each stockholder, in writing or by publication in some newspaper published in said city, 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 amount within twenty days after the time named for such payment, the corporation may bring suit against such delinquent for the amount due and called for, as aforesaid, in any court of competent jurisdiction, and recover the same, with ten per cent. interest, per annum, from the time such amount became due; and if the amount can not be made on execution, or if said delinquent is out of the state, then all the right, title and interest of such delinquent in the stock or property of said corporation may be sold on execution, and said corporation, at such sale, may become the purchasers thereof; and thereupon such delinquent shall be forever divested of any right, interest, property or title in and to the rights, franchises or property of said corporation.

Powers and duties of the directors.

* Sale of delinquent stock.

§ 8. The said president and directors shall have power to make and establish all such by-laws, rules and regulations, not inconsistent with the laws of this state or of the United States, as may be necessary, proper and convenient, for the collection of the subscription to the stock of said corporation, for the transfer of said stock or other property

General powers.

of the corporation, and for the management of the business thereof.

Dissolution.

May hold and convey real estate.

§ 9. The said company may, at any time after its organization, by a vote of two-thirds of all the stockholders, become dissolved; which said vote shall be certified to by the president and secretary of said company and recorded in the recorder's office of the county of Coles; and if such vote should be so taken and recorded, the said company shall have power to sell all the estate, real, personal or mixed, it may hold, and by their directors' name, to convey the same, so as fully to vest the title thereto in the purchaser or purchasers: *Provided*, that said corporation shall not be dissolved by virtue of this section, in consequence of any proceedings under the same, until such sales of their estate, real and personal, shall have been fully accomplished.

§ 10. This act is hereby declared to be a public act, and shall be favorably construed in all courts, and shall be in force from and after its passage.

APPROVED March 27, 1869.

In force March 31, 1869.

AN ACT to incorporate the Mount Carroll Hotel Company.

Corporators.

Name and style.

Corporate powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Henry A. Mills, Henry Ashway, John Nycune, B. L. Patch and A. H. Cole, and their associates and assigns, are hereby constituted a body politic and corporate, by the name and style of "The Mount Carroll Hotel Company;" and, by that name and style, they and their successors shall have perpetual succession, and shall be capable in law and equity 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, and change and alter the same at pleasure; and they and their successors may, also, by that name and style, acquire, by purchase or otherwise, own and hold such real and personal estate as may be necessary, useful or convenient, to accomplish the objects of said company, and convey the same by contract, lease, deed or otherwise. Said company 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.

Objects of the corporation.

§ 2. Said corporation shall have power to erect, build, finish and furnish, in complete order, and maintain a hotel

and all necessary stables and out-buildings, in the city of Mount Carroll, in the county of Carroll. 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 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.

§ 3. Said company may be organized at any time, by a ^{Lease building} majority of the persons named as incorporators, and proceed to carry out the objects of said corporation. Said corporation shall have power to use, 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, ^{Borrow money.} at such rate of interest, not exceeding ten per cent. per annum, as may be agreed upon, and to issue its bonds or certificates of indebtedness therefor, and may convey, by pledge, mortgage 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 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 stockholders: *Provided*, that if the purchaser 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.

^{Stockholders' liability.}

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

APPROVED March 31, 1869.

In force March 29, 1869. AN ACT to authorize certain persons therein named to build a hotel in the town of Oswego.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John S. Sealy, L. B. Judson, John W. Chapman, James C. Shepard, Charles L. Roberts, and their associates, are hereby authorized and empowered to form a body politic and corporate, under such name as they may adopt, for the purpose of purchasing land and erecting buildings thereon for hotel purposes, in the town of Oswego, in the county of Kendall, and state of Illinois, by complying with the provisions and requirements of an act to authorize the formation of corporations for manufacturing, agricultural and mechanical purposes, approved February 14, 1849, so far as the same may be applicable and necessary for the formation of corporations under said act; and such corporation, so formed, shall be subject to all the liabilities, restrictions and limitations of said act, so far as the same may be consistent with the purposes and objects of the incorporation to be created under this act.

§ 2. The capital stock of said company shall not be less than ten thousand dollars nor more than one hundred thousand dollars, divided into shares of one hundred dollars each, to be subscribed and paid for as may be prescribed by the corporation above named or their successors.

§ 3. The trustees of said corporation shall have power to borrow such sum of money, for the use of said corporation, at a rate of interest not exceeding ten per cent. per annum, as they may deem necessary, to purchase lands or buildings or to erect buildings for the purposes mentioned in the first section of this act; and they are authorized to issue to any person or persons of whom they may borrow such money or to any other creditor of said corporation, the bonds of said corporation on promissory notes, to secure the payment of the same by deed or mortgage, or both, upon any lands or real estate of said corporation.

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

APPROVED March 29, 1869.

In force March 26, 1909.

AN ACT to incorporate the Pacific Hotel Company of Chicago.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John F. Tracy, E. B. Philips, D. L. Smith, Philip Wadsworth, W. K. Nixon, Rufus C. Hall, and such other persons as

may become stockholders, are hereby created a body politic and corporate, by the name and style of "The Pacific Hotel Company of Chicago;" and, as such corporation, shall have perpetual succession, with all the rights, powers and privileges and subject to all the liabilities incident to corporations.

§ 2. The capital stock of said company shall be five hundred thousand dollars, to be subscribed for and paid in such manner and in such installments as the directors shall determine. The capital stock shall be deemed personal property, and shall be divided into shares of one hundred dollars each, and transferable on the books of the company in such manner as the by-laws shall provide. The capital stock of said company may be increased, from time to time, to an amount not exceeding one million of dollars.

Amount capital stock.

§ 3. The corporate powers of said company shall be exercised by a board of five directors, to be elected by the stockholders. They shall hold their office for one year and until their successors are chosen and qualified. Each share of stock shall entitle the holder thereof to one vote in the election for directors.

Powers of the directors.

§ 4. Said company is hereby authorized to erect, maintain and operate, on such grounds in Chicago as they may own or occupy, a hotel, with all the necessary equipments; and may lease such hotel, or such portions of their hotel building or premises as they may determine; and said company shall have all the rights and be subject to all the liabilities incident to inn-keepers. It shall be lawful for said company to sell their hotel, when, in their opinion, it shall be deemed advisable.

Construction of hotel.

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

APPROVED March 26, 1869.

AN ACT to incorporate the Pekin Hotel Company.

In force March 29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Stephen Roney, N. W. Green, J. E. Lenard, John B. Cohrs, William Smith, 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 Pekin, Illinois, are hereby constituted and declared a body politic and corporate, by the name and style of "The Pekin 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 com-

Corporators.

Name and style.

Corporate powers. mon 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.

Construction of hotel. § 2. Said company shall have power to erect, build and maintain a hotel, in the city of Pekin; 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 the stock held, respectively, by such stockholders, in all business meetings of such stockholders.

Amount 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 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.

May borrow money. § 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 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

Stockholders' liability.

such purchase: *And provided, further*, that the right of forfeiture or of sale, above given, shall not prevent said company 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 March 29, 1868.

AN ACT to incorporate a hotel company in the city of Peoria, Illinois. In force March 26, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That P. R. K. Brotherson, Charles L. Frost, Henry I. Baldwin, Larkin B. Day, Edward A. Sheble, Enoch Emery, Washington Cockle, L. G. Pratt, Samuel H. Thompson, John Comstock, John C. Proctor, John H. Francis and Sabin D. Puterbaugh, and all such other persons as may subscribe for stock in an association formed for the purpose of building a hotel in the city of Peoria, in said state, are hereby constituted and declared to be 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.

§ 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 one hundred thousand dollars. Said company shall have the power to increase the same to three hundred 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 them, 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

Corporators.

Name and style.

Corporate powers, how vested.

Construction of hotel.

Capital stock.

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.

May borrow money.

§ 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 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 said stock which may 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.

Prompt payment of capital stock.

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

APPROVED March 26, 1869.

In force March 4, 1869.

AN ACT to incorporate a hotel company in the town of Red Bud.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That John Brickey, B. C. F. Janssen, Edmond Faherty, John H. Meyer, Charles W. Schniber, Emil Berger and William Nelson, 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 Red Bud, on lots five, six and eight (5, 6 and 8), block one (1), Crozier's addition to Red Bud, Illinois, are hereby constituted and

Corporate powers.

declared a body politic and corporate, by the name and style of "The Red Bud 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.

§ 2. Said corporation shall have power to erect, build and maintain a hotel in the town of Red Bud; and the capital stock of said company shall be eight 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 incorporation 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.

Objects of the corporation.

§ 3. Whenever five thousand dollars shall be subscribed to the capital stock of said company, said company may proceed to organize, make calls upon its stockholders, and proceed to carry out the objects of said corporation. 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, as they may deem proper.

Amount of capital stock.

§ 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 upon 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 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 bal-

May borrow money.

Stockholders' liability.

ance, 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 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 March 4, 1869.

In force March 25, 1869. AN ACT to incorporate the Sarpy Hotel Company of the City of East Saint Louis.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That James L. D. Morrison, Joseph M. Conn, Vital Jarrot, John B. Lovington and William G. Kase, and all such other persons that they may associate with them, are hereby constituted and declared a body politic and corporate, by the name and style of "The Sarpy 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 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.

§ 2. Said corporation shall have power to erect, build, furnish and maintain a hotel in the city of East Saint Louis. And the capital stock of said company shall be fifty 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 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 ten thousand dollars shall have been 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 such 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.

May borrow money.

Stock of delinquents to be sold.

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

APPROVED March 25, 1869.

HOTEL COMPANIES—NEW PRIVILEGES.

In force March 29, 1869. AN ACT to recognize the existence of the Charleston Hotel Company, legalize its acts, and define its powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Daniel Parker, Thomas G. Chambers, J. K. Decker, J. A. Wilson, and George W. Parker, their associates assigns, and such other persons as are or may hereafter become stockholders in the corporation hereby created, be and they are hereby created a body politic and corporate, by the name and style of "The Charleston Hotel Company;" and, by that name and style, may contract and be contracted with, sue and be sued, plead and be impleaded, in all courts of law and equity, and adopt and use a common seal and alter the same at pleasure; may acquire 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 or any part thereof, whenever the board of directors shall deem it to the interest of the company so to do.

§ 2. Said corporation shall have power to build, own, use, lease and maintain a hotel building in the city of Charleston, Coles county, Illinois, and may do all things necessary to carry out the objects of said association. The capital stock of said corporation shall be twenty thousand dollars, and shall be divided into shares of fifty dollars each. The stockholders of said company shall control the same, by electing directors, not exceeding five in number; and each stockholder shall cast, by himself or proxy, one vote for each share of stock said stockholder may own when said vote is cast. The corporators named in the first section of this act shall be directors of said company, and shall hold their offices until others are elected or appointed by said company. Said directors may pass by-laws and rules for the control of said company, and issue certificates of stock to the stockholders, and appoint necessary officers and prescribe their duties and term of service. The president shall be the acting agent for said company, to contract and do all things necessary touching the business of said company, subject, however, to the control and direction of said directors.

§ 3. Said association having heretofore organized under the general incorporation law, approved February 18, 1857, all the acts and doings of said association had and performed in conformity to the provisions of said law and not inconsistent with this act, be and the same are hereby made valid and binding in law; and all conveyances of land made to said association shall be taken and held as valid in law as if

Corporators.

Name and style.

Corporate powers.

Objects of the corporation.

Former acts of trustees legal.

made subsequent to the passage of this act, and the legal title to said real estate shall vest in the corporation hereby formed, according to the intent and purport of the deeds conveying the same.

§ 4. Said company may borrow money to aid in the completion or payment of debts incurred in the building of their said hotel or for fitting and furnishing the same, and may mortgage their property to secure the payment of the same; and all debts heretofore incurred for that purpose shall be as valid and binding on said company as if incurred subsequent to the passage of this act. May borrow money.

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

APPROVED March 29, 1869.

AN ACT to amend an act entitled "An act to incorporate the Paris Hotel Company." In force March 30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the capital stock of said Paris Hotel Company shall be not less than fifteen thousand dollars and not more than one hundred thousand dollars; and whenever ten thousand dollars shall be subscribed to the capital stock of said company, said company may proceed to organize, make calls for stock, and proceed, generally, to carry out the objects of said association. Amount of capital stock.

§ 2. This act shall take effect on and after its passage.

APPROVED March 30, 1869.

ICE COMPANIES.

AN ACT to incorporate the Diamond Ice Company.

In force April 6, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That George M. Kimbark, Leverett W. Murry, P. L. Sherman, C. T. Bowen and E. G. Clark, and their associates and successors, be and they are hereby created and constituted a body politic and corporate, by the name of "The Diamond Ice Company," for the term of ninety-nine years, with all the Corporators. Name and style.

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

Objects of the corporation.

§ 2. The said corporation is hereby authorized and empowered to cut, collect, store, vend and deal in ice, and to do whatever may be requisite and necessary in conducting a general business in said article; to purchase, hold and convey any real and personal estate whatever, which may be necessary to enable said corporation to carry on its business.

Amount capital stock.

§ 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, to any amount not exceeding five hundred thousand dollars, which shall be divided into shares of one hundred dollars each, and issued and transferred in such manner and upon such terms and conditions as the board of directors of said corporation may direct.

Corporate powers.

Board of 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 first board of directors shall consist of the persons named in the first section of this act, 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 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 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.

Place of business.

§ 5. The general office and place of meeting for business of said corporation shall be in the city of Chicago.

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

APPROVED April 6, 1869.

In force March 30, 1869.

AN ACT to incorporate the LaSalle Ice and Transportation Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Kneeland T. Adams, Volney G. Hatch, James Bartlett and Michael Byrne, with their associates, successors and assigns, be and they are hereby created a body politic and corporate, by the name and style of "The LaSalle Ice and Trans-

Name and style.

portation Company;" and, by that name and style, shall have perpetual succession, with power to sue and be sued; may have a common seal, which may be adopted, altered and changed at pleasure; and may purchase, lease or hold such real and personal property as shall be necessary to carry on their business, with full power to sell or mortgage the property owned by them, and also to lease or sublet the property owned, leased, held or controlled by such company.

Corporate powers.

§ 2. The business of said company shall consist in cutting, raising, packing, shipping, buying and selling ice, and in the transportation of ice, and, also, in towing boats and barges and carrying freights upon the boats, barges or vessels, owned, chartered or controlled by said company.

Objects of the corporation.

§ 3. Said company may organize and commence business as soon as fifty thousand dollars shall be subscribed to the capital stock and fifty per cent. thereof paid in; but the capital stock may be increased, from time to time, at a regular annual meeting of the stockholders or at any meeting of the stockholders called for that purpose by publication of a notice of thirty days previous to the time of holding such meeting, to any sum not exceeding five hundred thousand dollars (\$500,000), the owner or owners of a majority of the stock consenting thereto. The capital stock shall be divided into shares of one hundred dollars each; and each share of stock shall be entitled to one vote on all questions coming before the stockholders.

Amount capital stock.

§ 4. The affairs of said company shall be managed by a board of not less than three nor more than seven directors, to be chosen annually by the stockholders, at such time and place as shall be prescribed by the by-laws of said company; and such board of directors shall have power to appoint one president, one secretary, and one treasurer, of said company, and such other officers and agents as they shall deem necessary; and shall prescribe their duties. The president shall be a member of the board of directors; they may appoint the same person secretary and treasurer; may require bonds from the officers and agents appointed for the faithful discharge of their duties.

Powers of the directors.

Appointment of officers.

§ 5. Said board of directors shall have power to make all such rules, regulations and by-laws, for the government of the affairs of said company, as they shall deem necessary, not inconsistent with the laws of this state or of the United States; may prescribe the manner of transferring stock, fix the time of holding the annual meeting of stockholders, adopt a common seal for the company, change and alter the same at pleasure, and do all other acts and things necessary for the successful management of the affairs of said company.

General powers.

§ 6. A majority of the board of directors shall constitute a quorum for the transaction of business. The board of

Quorum.

Removal from
office.

directors shall, also, have power to remove any officer or agent of said company, at any time, a majority of the board consenting thereto, and to appoint other persons to such office or agency.

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

APPROVED March 30, 1869.

IMPORTING COMPANIES.

In force June
19, 1869.

AN ACT to incorporate the American East India and China Company.

Corporate pow-
ers.

Name and style.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the stockholders, as hereinafter provided, be and they are hereby created and declared a body politic and corporate, under the name and style of "The American East India and China Company," with power to have a corporate seal and to alter the same at pleasure; with capacity to transact business, buy and sell, sue and be sued, plead and be impleaded, in all courts and places whatsoever, as natural persons have and may do; and to take, hold and dispose of real and personal estate and property; and appoint all such factors, agents, officers and employees, define their powers and duties, and require securities of them, as may be deemed necessary; and, for the above purposes, may make, alter, change and enforce such by-laws, rules and regulations as, by the corporation, may be deemed necessary to carry into full effect and operation the powers and purposes of this incorporation, not inconsistent with the constitution and laws of the United States and the state of Illinois. Nothing in this act shall be construed so as to invest said corporation with power to do a banking or exchange business or to receive money on deposit.

Objects of the
corporation.

§ 2. The object of this corporation is the importation and sale of the products and manufactures of China, Japan and the East Indies, by purchase, for gold or exchange, for the products and manufactures of the United States and other countries of the world, as may be found necessary in the commerce with those countries about to be opened through the new commercial channels of the Pacific railways and the steamship lines established, and that may be established from San Francisco, California, to China, Japan and the East Indies, under commercial treaties already made, or that may be hereafter made with them.

§ 3. The capital of this corporation shall be one million of dollars. The stockholders, at any regular or called meeting, shall have power to increase the capital to two million dollars. The capital stock shall be divided into shares of five hundred dollars each. Each stockholder shall be entitled to one vote for every share owned by him, at every meeting of stockholders, for election of directors and officers, or for the increase of the capital of the corporation or other purposes, under such regulations as may be prescribed in the by-laws.

Amount capital stock.

§ 4. There shall be an annual meeting of the stockholders at Chicago, Illinois, on the first Tuesday of January, for the election of a board of directors of this corporation and such other officers as may be elective by the stockholders, and for the transaction of such other business as they may deem proper, under the powers herein granted. A quorum of the board of directors may, by resolution spread of record, call special meetings of the stockholders, at such time as they may think proper, upon four weeks' notice in one of the daily newspapers of Chicago, Illinois. At all special meetings of the stockholders they shall have full power to transact any business as at a regular annual meeting. At any meeting of stockholders, they shall have full power to adopt by-laws, rules and regulations, for the government of its board of directors, officers, factors, agents and servants, and the general and special management of its business; or they may, by resolution of record, authorize and empower the board of directors to adopt and establish the same. Such by-laws, rules and regulations shall be in conformity with the laws of this state and of the United States, and shall be spread upon the records of the company, and published in pamphlet form, for the use and information of its officers and others. The board of directors, or such executive committee or committees as may be provided by the by-laws, shall be empowered to exercise the powers and transact the business and affairs of the corporation, under such limitations as may be prescribed therein.

Annual election for directors.

§ 5. At the first meeting, as hereinafter provided, the stockholders may fix the number to constitute the board of directors and at any meeting may alter or change the same, and, by by-laws, shall fix the number and duties of the other officers and agents to be employed and the sureties to be given by each for the faithful discharge of the duties prescribed to each by the by-laws.

General powers.

§ 6. That William B. Ogden, Horace A. Hulbert, Ernan G. Powers, Henry W. King, S. D. Kimbark, William G. Hubbard, Chauncey T. Bowen, William T. Allen, Marshall Field, Walter B. Scates and G. C. Cook, are hereby appointed commissioners under this act, with power and authority to open books for subscription of stock, at such

Open books for subscription.

Term of office.

times and places and upon such notice as a majority may determine; and when the sum of one hundred thousand dollars shall be subscribed and ten per cent. thereof actually paid in, in cash, and deposited in some bank in Chicago, then the said commissioners shall call a meeting of the subscribing stockholders, so paying in, to meet at such time, in Chicago, as shall be designated in said notice, not less than thirty days after notice, as may be fixed. The majority of said commissioners shall constitute a board of judges at said meeting of subscribers to the stock, and take the votes, by ballot or *viva voce*, as they may determine, and declare the result of the votes of said subscribers for a board of five directors for said corporation. The said board of five directors shall hold their offices until the first Tuesday of January next following, or until their successors shall be duly elected and qualified. And after the first election, as provided in this section, the number of the board of directors shall consist of such number as may be fixed by the by-laws, and shall hold their office for one year and until their successors shall be duly elected and qualified. All these preliminary books of subscriptions, and the proceedings of the commissioners in the organization of the subscribing stockholders, shall be spread of record upon the books of the corporation, and be preserved for evidence and examination of those who may be interested.

APPROVED March 15, 1869.

In force March
25, 1869.

AN ACT to incorporate the Chicago and China Tea Company.

Corporators.

Name and style.

Corporate powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That John K. Pollard, Jerome B. Pollard and Cornelius O. Connolly, and their associates and successors, and all such persons as shall become stockholders in the corporation, [are] hereby created and constituted a body politic and corporate, by the name and style of "The Chicago and China Tea Company;" and, by that name, shall be and are hereby empowered to purchase, have, hold, possess and enjoy, by themselves, their successors and assigns forever, lands, tenements, hereditaments, goods, chattels, choses in action, and effects of every kind, as may be necessary for the economical prosecution of its business, and no more, and the same to grant, sell, deliver and dispose of; to sue and be sued, plead and be impleaded, in all courts of law and equity; to have and to use a common seal, and the same to change, alter or renew at pleasure; to appoint such officers, servants and assistants as the said corporation, by its board of direc-

tors, shall deem proper and necessary. The said corporations, 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.

§ 2. The capital stock of said corporation shall be two hundred thousand dollars, with power in the stockholders to increase the same to two million dollars; to be subscribed and paid for in the manner to be prescribed in 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; and the said corporation shall have power to make and establish such by-laws, rules and regulations as they shall deem expedient to accomplish their designs and purposes, and to carry into effect the provisions of this act, and for the well ordering, regulating and securing of the interests and affairs of the corporation: *Provided*, the same be not repugnant to the constitution and laws of the state of Illinois or of the United States.

Amount capital stock.

§ 3. The affairs of said corporation shall be managed by a board of not less than three nor more than five directors, who shall be elected on the first Monday of January in each and every year; but any failure to elect directors shall in no wise impair or affect the rights and powers of directors, but they shall continue in office until 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. In the event of the death, resignation or mental incapacity of any person who may be a director of said company, the other members of the board of directors may elect a new director, to serve as such director for the unexpired term. Each board of directors shall elect one of their number president, and they shall appoint a secretary and treasurer. The treasurer shall give such bond and security as the board of directors may require.

Election of directors.

Appointment of officers.

§ 4. The said corporation shall have power to engage in trade and commerce, including a commission business, between the cities and sea ports of the United States and the cities and ports of foreign countries, according to the treaties which do or may exist between the United States and such foreign countries; but more especially it shall have power to extend the trade and commerce, including the commission business, to the inland cities and sea ports on the Pacific coast of the United States; and, for the purpose of conducting such business, shall have the power to make all the necessary and usual contracts which natural persons may make in the prosecution of a similar trade,

Objects of the corporation.

Banking business prohibited.

General powers.

including the right to make loans or advances on consignments of merchandise, and to charge and receive therefor interest at a rate not exceeding ten per centum per annum; to buy, create and sell exchange, in the regular prosecution of its business. But nothing in this act shall in any way be construed to invest said corporation with banking powers or privileges or the right to receive deposits or loan money, except on consignments of merchandise in the regular transaction of its business. Said corporation shall, also, have power to make all contracts necessary with any railroad, but especially with any railroad running towards the Pacific coast, for the transportation of goods and merchandise, as well as to make all necessary contracts or agreements with any steamship company and proprietors or masters of any sailing vessels, which it may deem essential to carry on the business of said corporation, and to own and use steamships or sailing vessels, in the regular conduct of its business, as herein set forth.

Vote of stockholders.

§ 5. At any 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.

Record of proceedings.

§ 6. The directors of said corporation shall cause the secretary to keep a record of their action and proceedings; and regular accounts shall be kept of all the moneys received and expended, and all 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, in the state of Illinois.

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

APPROVED March 25, 1869.

In force April 6, 1869.

AN ACT to incorporate the Indo-American Trading Company.

Corporators.

Name and style.

Corporate powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Leroy Swormstedt, Lyman Baird, Edward Ely, Charles L. Spalding, and Benjamin S. Pardee, and their associates and successors, and all such persons as shall become stockholders in the corporation hereby created, are hereby created and constituted a body politic and corporate, by the name and style of "The Indo-American Trading Company;" and, by that name, shall be and hereby are empowered to have, hold, possess and enjoy, by themselves, their 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, 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; to appoint such officers, servants and assistants as the said corporation, by its board of directors, shall deem proper and necessary. The said corporators, or those of them so organizing said company, shall constitute the first board of directors of said company, and serve as such board until their successors shall be duly elected and qualified.

§ 2. The capital stock of said corporation shall be five hundred thousand dollars (\$500,000), with power to increase the same to two million dollars (\$2,000,000), to be subscribed and paid for in the manner prescribed by the by-laws to be made by 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; and the said corporation shall have power to make and establish all such by-laws, rules and regulations as they shall deem expedient, to accomplish the designs and and purposes and to carry into effect the provisions of this act, and for the well ordering, regulating and securing of the interest and affairs of the corporation: *Provided*, the same be not repugnant to the constitution and laws of this state or of the United States.

Amount of capital stock.

§ 3. The affairs of said company shall be managed by a board of directors, not less than five (5) nor more than eleven (11) in number, who shall be elected on the second Tuesday of April in each year; but any failure or omission to elect directors shall in no wise impair or affect the rights and powers of directors holding over, but they shall continue in office until 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 shall appoint a secretary and treasurer. The treasurer shall give such bond and security as the board of directors may require.

Election for directors.

§ 4. The said corporation shall have power to engage in trade and commerce between the cities and seaports of the United States and cities and ports of foreign countries, according to the treaties which do or may exist between the United States and such foreign countries, but more especially it shall have power to extend the trade and commerce of the inland cities and seaports of the Pacific coast of the United States with India and China; and, for the purpose of conducting such business, shall have power to make all contracts necessary with any railroad, but especially with railroads running towards the Pacific coast, for the trans-

Objects of the corporation.

portation of goods and merchandise, as well as to make all necessary contracts and agreements with any steam ship company, and proprietors or masters of sailing vessels, which it may deem essential to carry on the business proposed and intended by said corporation. Nothing in this act shall be construed to invest said corporation with the power to do a banking business, by receiving deposits or making discounts, or with any banking powers or privileges.

Mode of voting.

§ 5. 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.

Record of proceedings.

§ 6. 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 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, Illinois.

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

APPROVED March 10, 1869.

IMPROVEMENT CO'S—INCORPORATED.

In force April
6, 1869.

AN ACT to incorporate the Maywood Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That W. T. Nichols, P. R. Barney, A. S. Eaton, H. O. Gifford, A. M. Moore, P. S. Peake and J. P. Willard, their associates, successors and assigns, are hereby constituted a body politic and corporate, by the name and style of "The Maywood Company," for the purpose of purchasing land in the township of Proviso, in Cook county, Illinois, and improving the same as a suburban village, by streets, trees, parks, drainage, and buildings of all classes, for educational, religious, residence, manufacturing, mercantile, and other purposes; and, by that name, may sue and be sued; may have a common seal, and alter the same at pleasure; may purchase, hold, lease, mortgage, alienate, sell and convey, real and personal estate; and generally, have and exercise all the rights and privileges of corporations, for the purpose of im-

proving, benefiting, beautifying and developing the said village of Maywood.

§ 2. The capital stock of said company shall not be less than one hundred thousand dollars nor more than five hundred thousand dollars, and divided into shares of one thousand dollars each, transferable as the by-laws shall direct; and each share shall entitle the owner thereof to one vote in all stockholders' meetings, either in person or by attorney. Amount capital stock.

§ 3. The officers of the company shall be a president, secretary, treasurer, land directors, and such other agents as the by-laws shall prescribe. The directors shall be chosen annually, by the stockholders, at their annual meeting, to be holden at the office of the company in Chicago, on the first Thursday in January of each year. And the corporators named in section one shall be the directors until others are chosen at the annual meeting in 1870. The directors shall appoint the president and treasurer from their own number. Officers.

§ 4. Said company shall not contract any debts until at least ten thousand dollars shall have been paid upon its capital stock—no part of which shall be withdrawn; and shall not have power, at any time, to contract debts to a greater amount than one-half its capital; and for any excess beyond that amount the stockholders shall be personally liable. Not to contract debts.

§ 5. All lands purchased shall be conveyed to the Maywood Company; and all conveyances by the company shall be signed, executed and acknowledged by the president of the company, in his official capacity. Lands to be conveyed.

§ 6. The by-laws of the company shall be adopted, altered or amended by the stockholders, at their annual meeting, but the directors herein named may adopt a code of by-laws for the management of the company, which shall be in force until others are adopted at the annual meeting of the stockholders. By-laws.

§ 7. This act may be altered, amended or repealed, as the public good shall require, and shall take effect from and after its passage. Act may be amended.

APPROVED April 6, 1869.

AN ACT to incorporate the Riverside Improvement Company.

In force March 11, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That David O. Gage, Emery E. Childs, Charles Stanton, J. Trumbull Smith, Henry E. Seely, J. L. Brownell, Leverett W. Murray, and all such persons as shall hereafter become* Corporators.

Name and style.

Corporate powers.

stockholders in the company hereby incorporated, shall be, and for the term of thirty years after the passage of this act, shall continue to be a body politic and corporate, by the name and style of "The Riverside Improvement Company;" and, by that name, may sue and be sued, plead and be impleaded, answer and 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 all real and personal estate which may be needful or convenient, for carrying into effect fully the object and purposes of this act; and may receive and make all deeds, transfers, covenants, conveyances, grants, contracts, agreements and bargains whatsoever, necessary for such purposes; and, generally, may do every other act or thing necessary to carry into effect the provisions of this act and promote the objects and designs of said company, as by this act authorized.

Improvement of lands.

§ 2. The said corporation is hereby authorized and empowered to improve, in such a manner as shall be conformable to the laws of this state and not inconsistent with any of the rights and privileges of any citizen of this state, the lands situated on the Des Plaines river, in the county of Cook, and state of Illinois, known as the "River Side Farm," and such other lands or pieces of land, in the said county of Cook, now belonging to or which shall hereafter belong to said corporation, by laying the same out into lots, squares, lanes, alleys, parks, and other divisions, and opening, grading, constructing and paving such streets, roads, drives and avenues, running over, through or across such lands or leading to the same, in such manner and to such extent as the board of directors shall deem best; and may extend said streets, drives or avenues to the city of Chicago; and may lay down, construct and operate thereon a railway, and convey passengers over the same, for compensation; and erect upon such lands, dwellings and such other buildings and improvements as may be found necessary, convenient or ornamental; with full power of letting, renting, leasing, selling, granting or using any lot or any portion of any such lands or any improvements made or to be made thereon, for any purpose authorized or permitted by the laws of this state: *Provided*, nothing herein contained shall be construed to give to said corporation any right of way through or over any lands, without the consent of the owner or owners thereof first had and obtained.

Improvement of streets, lanes and highways.

Amount of capital stock.

§ 3. The capital stock of said corporation shall be three hundred thousand dollars, and may be increased from time

to time, by said corporation, to a sum not exceeding one million of dollars. It shall be divided into shares of one hundred dollars each, and shall be deemed personal property, and be issued and transferred in such manner and upon such conditions as may be prescribed by the board of directors, who may require the payment of the sums subscribed by stockholders in such manner and at such times and on such terms as they may think proper; and on refusal, neglect or default on the part of the stockholders, or any of them, to make payment as and when required by the board of directors, the said corporation may, at their option, sue for and collect the same, or may forfeit all such stock and previous payments thereon, in such manner as the by-laws of said corporation shall appoint. And the said board of directors may receive any real estate or personal property in payment for any subscription to said capital stock, or any part thereof, as they may deem advisable. And when one hundred thousand dollars shall be subscribed and at least twenty-five thousand dollars actually paid in, the said corporation may commence its business, in the full enjoyment of the privileges of this charter, at such place, in the city of Chicago, as the board of directors shall direct.

Payment enforced by suit.

§ 4. The corporate powers of said corporation shall be vested in a board of directors, who shall appoint one of their number president, and a secretary, who shall be a stockholder in said corporation; and they may also appoint such other officers and agents as they shall deem necessary. The board of directors shall consist of seven persons, who shall be stockholders of said corporation, to be chosen annually by the stockholders, each share having one vote, which may be given in person or by proxy. And the corporation herein named shall be and are hereby constituted the first board of directors, and shall hold their office for one year or until their successors are elected and qualified. Vacancies in the board may be filled at any time by the remaining directors—such appointees to continue in office until the next regular annual election of directors. The number of directors may be increased, at any annual meeting of the stockholders, to any number not exceeding thirteen. The board of directors shall have power to make 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 interests of the said corporation: *Provided*, the same be not inconsistent with the laws of this state.

Directors.
General powers

§ 5. The board of directors shall have power to declare dividends on the stock of said corporation, from time to time; but no dividend shall be declared, except out of the actual earnings of the corporation, until the debts of said

Dividends, how and when declared.

corporation are all paid and canceled; and in no case shall the amount of any dividend be paid over to any stockholder on his or her stock until all the installments due upon said stock are paid.

Liability of
stockholders.

§ 6. The joint stock, property, funds and effects of said company shall be answerable for all the contracts made or authorized by or for said company, and for all just claims against the same; but none of the stockholders shall be liable, in person or property, for any contracts or claims against the said corporation. And the service of legal process on the president or any of the directors shall be sufficient service on the corporation.

May borrow
money.

§ 7. The said corporation are authorized and empowered to borrow, from time to time, such sum or sums of money, not exceeding in the whole the capital stock actually paid in, as in their discretion the directors thereof may deem expedient for the use of said corporation, and may issue bonds for the payment of such loan or loans, and may pledge or mortgage the lands, real estate, franchises and effects of said corporation, to secure the payment of the same and the interest thereon: *Provided*, that nothing herein contained shall be construed to confer banking powers upon said corporation.

§ 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 11, 1869.

In force April
13, 1869.

AN ACT to incorporate the Saline River Improvement 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 Joseph I. Castles, Broughton Temple, John B. Bailey, George B. Hick and Joel Cook, are hereby created a body politic and corporate, with perpetual succession, under the name and style of "Saline River Improvement Company," for the purpose of improving the navigation of the Saline river, in this state, the creation of water power on said river, and building and erecting mills and machinery, of all kinds, on or near the said river, in the way deemed best for the public good; and may make and use a common seal; make by-laws for the regulation of its officers and business; make contracts; sue and be sued; buy, sell, hold and convey such real estate and personal estate as may be necessary to carry out the purposes of this company.

Board of di-
rectors.

§ 2. The said company shall have power to improve, as aforesaid, the navigation of the Saline river, or so much

thereof as the said company may select, by the construction of dams, locks, tow paths, and such other devices as it may deem necessary, to make slack water navigation upon the said river or so much thereof as the company may select; and shall have power to erect mills, buildings, mechanical and manufacturing works, in connection with the use of the water power so created, in any way consistent with the improvement of the navigation of said stream.

§ 3. The above named corporators shall be and constitute the first board of directors, and hold their office for one year, from the passage of this act, and until their successors are elected to fill their places. And the board of directors of this company shall consist of five members, and they shall elect one of their number president, and shall elect such other officers and agents as may be required for the convenience and business of the company.

Directors.

Term of office.

§ 4. The capital stock of the said company shall be one hundred thousand dollars, divided into shares of fifty dollars each. The stock shall be considered as personal property, and the same may be transferred in such manner as the by-laws of the company may prescribe. The said directors shall proceed to open books and receive subscriptions to the capital stock of said company, or any part thereof, at such time or times as they may deem expedient; and all installments required to be paid on the stock subscribed shall be paid at such times and in such amounts as said directors shall prescribe.

Amount of capital stock.

§ 5. The president and directors shall have the exclusive management of the operations of the company, and all other powers necessary to carry out the objects of the said company. The stockholders shall elect a board of directors on the first Monday in May, annually; and the directors so elected shall hold their offices for one year, from the date of their election, and until their successors are elected. And each share of stock shall be represented by one vote at all meetings and elections of the stockholders.

Exclusive management.

§ 6. The directors shall have power to call in and demand of stockholders the sums of money subscribed and the installments imposed, under the penalty of forfeiting the same, upon sixty days' demand, and notice having been first made by personal service or publication in a newspaper published in Gallatin county, in this state; or they may proceed to collect the amount due by the usual course of law.

Payment of installments.

§ 7. The said company shall have power to enter on such part of said river and on the land on either side thereof; to hold and use the same, as far as is necessary for the purposes of said company, for the objects aforesaid, and to use the timber, rock, gravel, earth and other materials, which may be necessary in the construction of its works, and the right of way thereto. And said company is here-

Objects of the corporation.

Condemn land.

by authorized and empowered to take, condemn and use the same, under the provision of an act to amend the law condemning the right of way for purposes of internal improvements, approved June 22, 1852, and the acts amendatory thereof; and in estimating damages for the lands and materials taken, the same shall be estimated at its value for ordinary purposes and uses, without regard to the increased value which might accrue from the works or improvements contemplated or made by this company; and in all the assessments for damages the advantages which would result to the owners by the contemplated improvements of this company shall be taken into consideration.

May use and
lease water
power.

§ 8. The said company shall have the privileges and be entitled to the use of the water power from the said river, and shall have power to lease or rent, for one or more years, the said water power, on such terms as shall be most advantageous to the company: *Provided*, the use of the water power shall not impede the navigation of the said river. If at any dam or lock, or at any other point, there shall be a surplus of water power, applicable to hydraulic purposes, and when the interest of this company and the public convenience shall require the application of such water power to machinery, it shall be the duty of the company to propose to purchase from the owner such parcels of the adjoining land as may be necessary for the use of such water power, and to submit the determination of the quantity of land necessary and the price to be paid therefor to arbitration, according to the laws respecting arbitration in force at the time. In case the owners shall refuse to appoint arbitrators, this company may take, condemn and use the same, under the provisions of an act to amend the laws of condemning the right of way for purposes of internal improvement, approved June 22, 1852, and all acts amendatory thereof.

When owners
refuse to ap-
point arbitrators

Rates of toll
and water rents:

§ 9. The said company shall have power to fix and regulate, from time to time, uniform and reasonable rates of toll and water rents; and the said company shall make no charge for the navigation of said river, except for passing through the locks which may be constructed; and in no case shall any steamboat, flat boat or other water craft be subject to pay toll, under this act, for the passing over any such dam, when the depth of water will enable them to make such passage without using the locks.

Penalty for in-
jury to works.

§ 10. If any person or persons shall willfully or negligently do or cause to be done any damage to any improvements, buildings or structures, appertaining to the works of the said company, such person or persons shall be liable to pay to said company three times the amount of such damage done; which may be sued for and recovered in the name of said company, in an action of debt, before any court having jurisdiction of the case; and such person or

persons shall also be liable to indictment and punishment for malicious mischief.

§ 11. And the state of Illinois hereby reserves the right and power, at any time hereafter, to take and keep possession of the works and improvements made by this company, together with the franchises herein granted, for the use and benefit of the people of the state of Illinois, upon paying to the said company the full cost or worth of the said work and improvements made on the said Saline river by the said company in improving its navigation.

State may purchase improvement.

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

APPROVED April 13, 1869.

AN ACT to incorporate the Stony Island Improvement Company.

In force March 24, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That J. Irving Purce, William K. Ackerman, George S. Bowen, Sheridan Wait, Schuyler S. Benjamin, Amos C. Babcock, Elam G. Clark, Jasper J. Petticord and Penoyer L. Sherman, and all such persons as shall hereafter become stockholders, are hereby declared to be a body politic and corporate, by the name and style of "The Stony Island Improvement Company;" which said corporation shall continue in existence for the period of thirty years, only, from and after the passage of this act; and, by that name, may sue and be sued, plead and be 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 vested with all the powers, privileges and immunities and franchises of acquiring, by purchase or otherwise, and of holding and conveying all real and personal estate which may be useful or convenient for carrying into effect fully the objects and purposes of this act; and may make and receive all deeds, transfers, covenants, conveyances, grants, contracts, agreements and bargains whatsoever, necessary for such purposes; and, generally, may do every other act or thing necessary to carry into effect the provisions of this act and promote the objects and designs of said company, as by this act authorized.

Corporators.

Corporate name and powers.

§ 2. The said corporation is hereby authorized and empowered to improve, in such manner as shall be conformable to the laws of this state, and not inconsistent with any rights and privileges of any citizen of this state, the lands situated

General powers.

near the Calumet river, in the county of Cook, and state of Illinois, known as "The Stony Island Farm," and such other lands or pieces of land, adjacent to the same, as shall hereafter belong to said corporation, by laying the same out into lots, blocks, lanes, alleys, streets, avenues, and other divisions, and draining the same, and making plat thereof, as in other cases of plats made by individuals, and opening, grading, constructing, paving, and otherwise improving such streets, roads, drives, lanes and avenues, in such manner and to such extent as the board of directors shall determine; and may extend the same, on their said lands, to intersect or connect with other avenues, roads or streets; and may erect upon such land such dwellings and other buildings, and may make such improvements as may be deemed by them necessary, convenient or ornamental, for the purpose of reclaiming and improving such lands, to make them available, with full power to sell or lease such lands, houses or buildings, or any or either of them, or any part thereof.

Capital stock. § 3. The capital stock of said corporation shall be three hundred thousand dollars, which may be increased, from time to time, by said corporation, to a sum not exceeding one million of dollars. The capital stock of said company shall be divided into shares of one hundred dollars each, to be deemed personal property, and transferable as such, in the manner provided by the by-laws. The capital stock shall be subscribed for and paid in the manner, at the time or times, and in the installments prescribed by the directors of said company. Each share of stock shall entitle the holder thereof to one vote in the election of directors. In case any stockholder shall make default in the payment of any installment due upon stock at the time the same shall be called in by the directors, the said corporation shall have the right to bring an action against such delinquent stockholder to recover any installment, or, in the discretion of the directors, may forfeit to said company the share of any stockholder and all amounts paid thereon upon which there shall remain due and unpaid, for the space of thirty days, any installment: *Provided*, that before such forfeiture said company shall give such delinquent stockholder six days' notice, in writing or by publication in a daily newspaper published in the city of Chicago, of the intention of said company to declare such forfeiture, and such share and amount paid thereon, when so forfeited, shall be held and owned by said company, for the benefit of the stockholders.

Corporate powers. Board of directors. § 4. The corporate powers of said corporation shall be vested in a board of seven directors, who shall be stockholders, who shall be chosen annually, at such time as the stockholders shall determine, and shall hold their office for one year and until their successors are chosen and qualified. The directors shall elect from their number a presi-

dent, secretary and treasurer, and may appoint other officers and agents and prescribe the powers and duties of their several officers and agents. The directors shall, from time to time, have power to fill all vacancies in the board of directors. The number of directors may be increased by the stockholders, from time to time, to a number not exceeding thirteen. The directors of said company shall have power to apply any dividend, or any part thereof, made upon any share of stock in payment of any installment due and unpaid upon any such share. Vacancies.

§ 5. The said corporation are authorized and empowered to borrow, from time to time, such sum or sums of money, not exceeding in the whole the capital stock actually paid in, as in their discretion the directors thereof may deem expedient, for the use of said corporation, and may issue bonds for the payment of such loan or loans, and may pledge or mortgage the lands, real estate, franchises and effects of said corporation, to secure the payment of the same and the interest thereon: *Provided*, that nothing herein contained shall be construed to confer banking powers upon said corporation. And the principal office of said company shall be in Chicago, Illinois. May borrow money.

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

APPROVED March 24, 1869.

AN ACT to incorporate the Upper Alton Rural Association.

In force March
31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Cyrus Edwards, O. L. Castle, E. A. Haight, S. I. Root, C. E. Hall, L. J. Clawson, S. B. Gillham, jr., James Barnard, H. C. Cole, H. A. Homeyer, Frederick Humbert, J. B. Lasley, John Atkins, A. Butler, F. Hewitt, H. N. Kendall and C. J. Merrills, and their associates, are hereby created a body politic and corporate, under the name and style of "The Upper Alton Rural Association;" and, by that name, they and their successors shall have all the powers and be subject to all the responsibilities ordinarily conferred upon corporate bodies of a similar character. Corporators.

§ 2. That said corporators, or a majority of them, may, upon ten days' notice, by advertisement or by notice posted up in not less than three public places within the corporate limits of Upper Alton, call a meeting, for organization, within said corporate limits, at a place named in the advertisement or notice, and proceed to organize under this act, by enacting by-laws, electing officers and doing such other Name and style.

Organization.

things as are necessary and proper to carry out the objects of the incorporation and not inconsistent with the laws of this state or of the laws of the United States.

Objects of the corporation.

§ 3. That it shall be the object of this association to improve and ornament the streets and public grounds of Upper Alton, by planting and cultivating trees, cleaning and repairing sidewalks, and doing such other acts as shall tend to beautify and improve said streets and grounds.

Public grounds.

§ 4. That said corporation, to carry out the purposes of this act, only, shall have power to purchase real estate, as a park or public grounds, for the benefit and recreation of the citizens of Upper Alton; and, for this end, may raise and invest a fund, not to exceed ten thousand dollars, in such real estate; and may, also, hold personal property to an amount not exceeding five thousand dollars.

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

APPROVED March 31, 1869.

IMPROVEMENT CO'S—NEW PRIVILEGES.

In force April 19, 1869. AN ACT to amend an act entitled "An act to incorporate the Land Improvement Company," approved February 22, 1861.

Change Name. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That the name and style of said company shall be changed to "Wright's Park Company," and that the limits for the operation of said company are extended from six to twenty miles from the city of Chicago.

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

APPROVED April 19, 1869.

In force March 11, 1869. AN ACT supplemental to an act entitled "An act to incorporate the River-side Improvement Company."

Preamble.

WHEREAS, Emery E. Childs, of the city of Chicago, is now the owner, by deed and contract, of sixteen hundred acres of land, located in Cook county, state of Illinois, described as follows, viz: Two hundred and sixty acres lo-

cated in the south half of section twenty-five (25), in the town of Proviso; six hundred and forty acres, comprising section thirty-five (35), in same town; and all of section thirty-six (36), in same town, comprising about five hundred acres; and that portion of section thirty-six (36) lying north of the south-western plank road, in the town of Lyons, comprising about eighty acres; and about one hundred and twenty acres lying in the north half of section two (2), in the town of Lyons; and, whereas the said Emery E. Childs has procured the said property with the object of laying out the same into lawns and residence lots, with the necessary avenues, roads and walks, and with the purpose of improving, beautifying and developing the same, so as to render said property attractive, that he may be enabled to sell the same for first-class suburban residence purposes; and, whereas the said Emery E. Childs, for the purpose of connecting the above mentioned property with Western avenue or Reuben street, in the city of Chicago, by an attractive and ornamental drive-way, has already procured, by donation and contract, the right of way for said drive-way and the land fronting the same, to the depth of two hundred feet, for a considerable distance on the route thereof, and desires to obtain similar rights and privileges for the remainder of the way; and, whereas, to enable the said Emery E. Childs to carry out the objects and purposes hereinbefore recited, a corporation has been formed, by an act of the general assembly, entitled "An act to incorporate the Riverside Improvement Company," conferring certain powers and franchises therein expressed; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That nothing ^{Privileges.} in said act contained shall be so construed as to authorize or ^{Restrictions of.} empower said company to purchase, lease, hold, convey or otherwise use any real estate other than that hereinbefore described and mentioned, nor shall said corporation exercise other or greater powers than such as may be necessary and proper to carry out the objects and purposes hereinbefore expressed: *Provided,* that the right and power of said company to construct and operate a railway, as expressed and granted in said original act, shall in no wise be destroyed or abridged by this supplementary act.

§ 2. 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 11, 1869.

In force April 9, 1869. AN ACT to amend an act entitled "An act to incorporate the Riverside Improvement Company."

Construction
of public drive.

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 have power to construct, from their property, near the Des Plaines river to Western avenue, in the city of Chicago, a public way or drive, with the right to collect reasonable tolls thereon, not more than sufficient to keep said road in thorough repair; and they may so construct, ornament and beautify the same as they may deem proper, to render the same useful and attractive; and they may construct the same wholly or in part upon any public highway, with the consent of the board of supervisors of Cook county, through which said road shall pass, or in part or wholly upon private property: Provided, however, that the consent shall first be had and obtained of the owners of the property along the line thereof, or route of same, for a distance equal to two-thirds of the entire way; and the said board of directors is [are] hereby vested with power to take and apply private property, for the aforesaid purposes, but in the aggregate no more than one hundred acres, 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, ascertaining and making recompense for all damages sustained, agreeable to the provisions of said acts: Provided, however, that said public way or drive shall be constructed within three years, wholly at the expense of said company, and at a cost of not less than forty thousand dollars per mile: And, provided, also, that no property shall be condemned herewith for private use, but only for the purposes of the public way or drive, as hereby authorized.*

Limit of time.

§ 2. 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 April 9, 1869.

INSURANCE (FIRE) CO.'S—INCORPORATED.

AN ACT to incorporate the Bond County Fire Insurance Company.

In force March
30, 1889.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William S. Smith, sr., John B. Reid, Jediah F. Alexander, James Bradford, Eurico Gaskins, John T. Barr, John B. Hunter, John A. Leverton, Samuel P. Moore, William S. Wait, and Williamson Plant, and all other persons who shall hereafter become stockholders in the corporation hereby created, shall be a body politic and corporate, by the name of "The Bond County Fire Insurance Company," and by such name shall have perpetual succession 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.

Corporators.

Name and style.

§ 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.

Amount of
capital stock.

§ 3. 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.

Corporate pow-
ers.

§ 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 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.

Stock subscrip-
tions.

§ 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 town of Greenville 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

Election of
board of direc-
tors.

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.

Appointment
of president.

§ 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.

Vacancy, how
filled.

General powers.

§ 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.

Dividends to
be declared.

Objects of the
corporation.

§ 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 capital 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 or 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.

§ 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.

Stock shares transferable.

§ 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 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.

May hold and convey real estate.

§ 11. That said corporation shall have full power and authority to deposit any portion of the 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.

Deposits.

§ 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.

Policies to be signed by the president.

§ 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 the advance of the stockholders, to make good said capital stock, shall have been added thereto.

Liability for unpaid installments.

- Place of business. § 14. The business of the company shall be carried on at such place in the town of Greenville, or elsewhere by agency, as the directors shall direct, and at such agencies as they may establish.
- When this act shall take effect. § 15. This act shall be and it is hereby declared to be 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 have perpetual succession.
- Subject to future legislation. § 16. This act shall be subject to any general law of this state hereafter passed on the subject of insurance or insurance companies.
- Construction of act. § 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 certificate of deposit to circulate as money or currency.

APPROVED March 30, 1869.

In force June 19, 1869. AN ACT to incorporate the Cairo Board of Underwriters of the City of Cairo.

- Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Samuel R. Hay, James S. Rearden, William H. Morris, Fredoline Bross, Henry H. Candee, Martin V. Young, and their associates, now composing the Cairo Board of Fire Underwriters, and such persons as may hereafter be admitted members thereof, are hereby created and constituted a body politic and corporate, under the name and style of*
- Corporate name and powers. *"The Cairo Board of Underwriters," and, by that name, may sue and be sued, plead and be impleaded, receive and hold property and effects, real and personal, by gift, devise, or purchase, and dispose of the same by sale, lease or otherwise—said property, so held, not to exceed in value at any time, the sum of two hundred thousand dollars; may have and use a common seal, and alter the same, from time to time, as they may elect; may make such by-laws, rules and regulations for their government, or the control of their members, as they may deem proper or necessary for the promotion of the best interests of the corporation and the management of their business, or the mode in which it shall be transacted, when not inconsistent with or contrary to the laws of the state of Illinois or of the United States.*
- By-laws, rules and regulations. § 2. The constitution, by-laws, rules and regulations of the said existing Cairo Board of Fire Underwriters shall be the constitution, by-laws and rules and regulations of the

corporation hereby created, until the same shall be regularly repealed or altered, and the present officers of said board, known as the Cairo Board of Fire Underwriters, shall be the officers of the Cairo Board of Underwriters, hereby created, until their respective offices shall regularly expire or be vacated, and until the election and installment of the new officers elected according to the provisions of this act.

§ 3. The officers of the Cairo Board of Underwriters shall consist of a president, vice president, treasurer, secretary and surveyor and such other officers as may be determined upon and provided for by laws, rules and regulations of said corporation; which said officers shall respectively hold their offices for the length of time fixed upon by the by-laws, rules and regulations of the said corporation hereby created, and until their successors are elected and qualified. Officers, etc.

§ 4. The object of this corporation shall be to promote and protect the best interests of all insurance companies legally transacting the business of marine, fire, inland and life insurance in the state of Illinois. Objects of the corporation.

§ 5. The Cairo Board of Underwriters may elect, constitute and appoint committees of arbitration and appeal and committees on fines and penalties, who shall be governed by such by-laws, tariffs and rules and regulations, for the settlement of such matters as may be voluntarily or otherwise submitted to them by the said corporation. The acting chairman of any committee, so elected, constituted or appointed, shall have authority to administer oaths to persons and witnesses and to issue subpoenas and attachments, compelling the attendance of persons and witnesses, the same as a justice of the peace, and in like manner. When directed to a constable, it shall be his duty to execute the same, as in other cases under the laws of this state. General powers.

§ 6. The said corporation shall have power to elect a principal surveyor and appoint as many assistant surveyors as they may deem necessary, who shall have the legal right to examine, inspect and survey any property whatever, either insured or upon which application is made for insurance, and upon all property upon which insurance can be effected; and such surveyors when so appointed, may act as fire marshals, fire police or fire wardens, under any municipal or state authority within the state of Illinois, where their services may be required. Surveyor and assistants.

§ 7. The said corporation shall have power to levy and inflict fines upon any of its members, and collect the same, for violations of its by-laws, rules, regulations, tariffs and rates. Such fines may be collected by an action of debt against the person convicted of such violation, before any justice of the peace in the city of Cairo—the action in all cases to be instituted in the name of the corporation. Penalty for violations of regulations.

Restrictions in business.

§ 8. Said corporation shall have no power or authority to transact or carry on any business under this act, excepting such as is hereinbefore mentioned, or such as is usual in boards or associations of underwriters.

Annual election of officers.

§ 9. The Cairo Board of Underwriters shall elect the officers provided for in this act, on the first Monday in the month of May, in each year, but if an election should not be held on that day of the year, A. D. 1869, it may be held on any other day of the month of May, 1869, that may be appointed by said corporation.

Banking business prohibited.

§ 10. Nothing in this act shall be construed so as to permit said corporation 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.

APPROVED March 13, 1869.

In force March 1st, 1869.

AN ACT to incorporate the Capital Insurance Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Charles A. Helmle, James M. Logan, John A. Hughes, Samuel Rosenwald, Orson N. Stafford, and their associates, successors and assigns, be and they are hereby created a body corporate and politic, under the name and style of "The Capital Insurance Company," and, by such name, shall have perpetual succession, may sue and be sued, plead and be impleaded, answer and be answered unto, in all courts and places whatsoever; and have and use a common seal, and alter the same at pleasure. Such company shall have power to purchase, hold, use 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 same; and, also, to make all such rules, regulations and by-laws, not inconsistent with the constitution or laws of the United States or of this state, as shall be necessary for the proper management, regulation and control of the business or affairs of said company, and may alter or amend the same.

Name and style.

Corporate powers.

General powers.

Objects of the corporation.

§ 2. Said company shall have power to insure any and all persons, companies and corporations, against loss or damage by fire, to any dwelling-house, store or other building, household furniture, merchandise or other property, whether real or personal, and against accidents of every description to property, and against all risks by inland navigation and transportation of persons or property on any

or all the canals, rivers and lakes within the United States 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: *Provided*, that no risks shall be taken by said company outside of Sangamon county, state of Illinois, until one hundred thousand dollars of the capital stock of said company shall have been subscribed and actually paid up.

§ 3. The capital stock of said company shall be fifty thousand dollars, and may be increased to one 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.

Amount 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 twenty-five thousand dollars thereof is subscribed and fifty per cent. of such subscription actually paid to said commissioners, 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.

Open books for subscription.

§ 5. The board of directors shall be authorized to elect a president, vice president, secretary, and treasurer, and such other officers as they may deem proper for said company, and determine the mode of election and term of office of the same. The board of directors shall consist of not less than five members, and no person shall be eligible to the office of director who shall not, at the time of his election, be the *bona fide* owner of at least five shares of the capital stock of said company, and in all elections each share of capital stock of said company shall be entitled to one vote and no more.

Election of officers.

§ 6. Said company, when 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 seal of said directors and acknowledged by them before some officer authorized to take the acknowledgment of deeds, and recorded in the office of the clerk of the circuit court of the county of Sangamon, and on recording said certificate said

Organization.

Term of office.

company shall be deemed fully organized and entitled to enter upon 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.

§ 7. The board of directors shall have power, from time to time, to require the payments 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 said board of directors may cause said capital stock to be invested in the bonds of the United States or of this state, or in the stock of any national bank organized under any law of congress, or in mortgages on real estate, which real estate shall in all cases be otherwise unincumbered, and 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 profits of the business of said company.

Place of business.

§ 8. The principal office of said company shall be located in the city of Springfield, in said county of Sangamon, but agents may be appointed in such other places as the officers of the company may deem necessary.

May hold and convey real estate.

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

Statement of the condition of business.

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

Banking business prohibited.

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

First board of directors.

§ 13. The first board of directors shall hold their offices until the first Monday in January next succeeding their election; and annually on the first Monday in January of each year, an election for five directors of said company

shall be held in the city of Springfield, at the office of the company, under the supervision of the existing board of directors.

§ 14. Applications for insurance must state all facts and circumstances affecting the risk, and the statements made in the application shall be binding on the insured, and be a warranty on his, her on their part, and any willful misstatement shall render the policy void. Statements in application to be binding.

§ 15. It shall be lawful for said company to re-issue any risk, or any part of any risk, on which they have made insurance. Lawful to take risks.

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

APPROVED March 10, 1869.

AN ACT to establish an insurance company in the county of Carroll. In force March 29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there shall be and hereby is established in the city of Mount Carroll and county of Carroll, in said state, an insurance company to be known by the name and style of "Carroll County Insurance Company," with a capital stock of one hundred thousand dollars, divided into shares of one hundred dollars each, which may be increased at the will of the directors to any amount not exceeding five hundred thousand dollars, to be subscribed and paid for in the manner hereinafter specified. Name and style.

§ 2. H. A. Mills, D. W. Dame, Lewis Chrisman, R. G. Shumway, O. P. Miles, D. C. Wagner, and Nathaniel Haldeman, or any three of them, are hereby authorized to open or cause to be opened, books of subscription for the capital stock of said company, at such time and place as they shall think proper—said books to be kept open until at least fifty thousand dollars shall be subscribed, when the subscribers may, after five days' notice being given by said commissioners, in any paper published in said city of Mount Carroll, meet, and under the inspection of said commissioners choose a board of seven directors, to serve as hereinafter specified. Corporators.

§ 3. The subscribers of said stock, their associates, successors and assigns, shall be and they are hereby declared a body politic and corporate, by the name and style of "Carroll County Insurance Company," and, by that name, shall be capable in law of contracting and being contracted with, suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being Corporate powers.

defended against, in all courts and places whatsoever, in all manner of actions, suits, complaints and causes.

General powers. § 4. The said corporation may have and use a common seal, and alter and renew the same at pleasure; may purchase and hold such personal and real estate as may be necessary or desirable 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 at variance with the laws of this state or 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.

Issue of policies § 5. This corporation shall have full power and authority to take insurance on all descriptions of property, of every name and nature and description whatsoever, against loss or damage by fire, lightning or tornado. They may also cause themselves to be insured or re-insured against all or any risks upon which they have made insurance, and also upon all property of every kind or any interest therein owned or held by them as security. They also have authority to loan their surplus or unemployed capital or money on personal, real or other securities, at such rates of interest as may be done under the existing laws of this state, or invest the same in stocks.

Election of directors. § 6. The board of directors chosen as hereinbefore mentioned shall serve as follows: Two of them from the time of their election until the third Tuesday in May, A. D. 1869; two of them until the third Tuesday in May, 1870, and three of them until the third Tuesday in May, 1871—their respective terms of office to be decided by lot at their first regular meeting. The election of directors of this company, thereafter, shall be held on the third Tuesday in May, of each year, when an equal number of directors shall be elected to those whose term of office expires with the date of said election, whose term of office shall continue for the next three years ensuing.

Election of officers. § 7. The board of directors shall elect a president, vice president, secretary and treasurer, who shall hold their respective offices for the term of three years or until others are elected. The board of directors may also appoint an executive committee from among their own members, and such committee, when the board is not in session, may exercise all the powers vested in the company, except where the company has, by its by-laws, provided otherwise. The board of directors may appoint agents and such subordinate officers as they may deem necessary, who shall hold their office during the pleasure of the board.

§ 8 Upon the election of officers as hereinbefore provided, and the adoption of their by-laws, ordinances or reso-

lutions providing for the management of their business, this company shall be deemed as having organized under the provisions of this act, and may thereafter establish agencies in other places for the transaction of their business.

§ 9. At any time after the organization of this company under the provisions of this act, the secretary may re-open the books for receiving subscriptions to the capital stock of this company, until such subscriptions shall reach the amount of the capital stock herein provided for of one hundred thousand dollars, when said books shall be close until further subscriptions are authorized by the board of directors, when the secretary may again open them for further subscriptions. Open books for subscription.

§ 10. The board of directors may be increased in number from that of seven, as herein specified, to any number not exceeding fifteen, at any regular annual election, upon the certificate of the secretary and president that such increase in number is required to secure the efficient management of its affairs; and such additional directors shall be divided as near equal as may be between the terms of one, two and three years, as herein provided, and a majority of the whole board shall constitute a quorum for the transaction of business until the board shall consist of more than seven members, after which five members of the board shall constitute a quorum for the transaction of business, having the same power that a majority of the whole board would have: *Provided*, the president, secretary and treasurer shall constitute a portion of said five. The board of directors, president and treasurer shall be elected by ballot, at such hour of the day as the secretary may appoint, and notice of which shall be given in any newspaper printed in the city of Mount Carroll, at least ten days immediately preceding such election; and such election shall be held under the inspection of three persons, to be appointed previous to each election by the board of directors. Such election shall be made by a plurality of votes of the members present or their proxies, allowing one vote for each share of the capital stock. The by-laws of this company shall provide the form and specify the evidence required in the appointment of proxies and execution thereof. Increase of directors. Quorum to do business. Inspectors of election.

§ 11. If it shall at any time happen that the election of directors shall not be held or made on the day when, pursuant to this act, it ought to have been held or made, this corporation shall not for that cause be deemed to be dissolved; but it shall be lawful, on any other day, to make and hold an election of directors—notice of said election to be given as hereinbefore prescribed. Failure to elect not to dissolve corporation.

§ 12. The payment of the stock subscribed for shall be made by the subscribers, respectively, at the time and in the manner following, viz: At the time of subscribing Stock subscriptions.

there shall be paid on each share twenty dollars, and the balance due on each share shall be subject to the call of the directors, under such penalties as the board of directors may appoint and order, and shall be secured to be paid on demand or otherwise, as the said directors shall require, by hypothecated stocks, mortgages on real estate worth twice the amount of the incumbrance.

Stock deemed personal property and transferable. § 13. The stock of said corporation shall be regarded as 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.

Expenses. § 14. The expenses incurred by the commissioners in executing duties required by this act shall be paid out of moneys received by them of the subscribers to the capital stock, and may be retained by them for that purpose, and the balance, so received, shall be paid over to the directors after they shall have been elected.

Term of issue of policies. § 15. This company shall have power to make contracts of insurance for any term not exceeding five years, and such contracts, when signed by the president and secretary, shall be binding until the expiration of the term for which they were made.

Stockholders' liability. § 16. 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 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 same arising from the profits of the business or by advance of the stockholders to make good said capital stock shall have been added thereto: *Provided*, that the stockholders shall not be individually liable beyond the amount of stock held by them respectively.

Declare dividends. § 17. This company shall have power to make and declare dividends of the profits arising from the business of said corporation.

Suits against members. § 18. Suits at law may be maintained by said company against any of its members for the collection of stock 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 the company.

Secretary may appoint deputy. § 19. It shall be lawful for the secretary of this company to appoint a deputy, whose authority shall be specified in this appointment.

Meetings called by secretary. § 20. All meetings of the directors of this company shall be called by the secretary—notice of which can be given by publishing in any newspaper printed in the city of Mount Carroll, Illinois.

Insurance rates. § 21. The terms of insurance in this company shall be such as may be agreed upon between the insurer and the insured. The rates of insurance shall be fixed and regulated

by the board of directors, and promissory notes may be taken for the cash premium, which shall be paid at such time or times as the directors may require.

§ 22. Whenever any promissory note received for insurance, given to the Carroll County Insurance Company, for any risk taken by said company, and the makers thereof shall neglect or refuse to pay the amount claimed by this company, for the space of thirty days after notice of such claim, which notice shall be given as prescribed in the by-laws of said company, his, her or their policy shall become void and of no effect. Policy void.

§ 23. In case an action is brought for the recovery of any claim due this company, the certificate under seal of the secretary of said company, stating the amount of said claim, shall be taken and received as *prima facie* evidence in all courts and places whatsoever. Statement of secretary prima facie evidence.

§ 24. Applications for insurance shall state all the material facts and circumstances affecting the risk, and the statements made in the application shall be binding upon the insured and a warranty on his, her or their part. Application for insurance to be binding.

§ 25. That no stockholder of the corporation hereby created shall be liable in his or her individual capacity for any debt or liability of said company beyond the amount of stock held by him or her. Unless the said company is organized within one year 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. Stockholders' liability.

§ 26. This act shall be deemed a public act, and be liberally construed for the purposes herein set forth, and be and continue in force from and after its passage.

APPROVED March 29, 1869.

AN ACT to incorporate the Citizens' Insurance Company.

In force March 15, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That an incorporate company be and is hereby established at Galena, Illinois, called "The Citizens' Insurance Company." Organization.

§ 2. The capital stock of said company shall be not less than one hundred thousand (100,000) dollars nor more than five hundred thousand (500,000) dollars, but may be fixed, increased or diminished at will, by the directors, within those limits, but in such a manner as not to injure the vested rights of stockholders in their stock. Said stock Amount capital stock.

shall be in shares of fifty (50) dollars each, on which shall be paid one (1) dollar at the time of subscription, and such assessment, from time to time, as shall be called for by the directors.

Open books
for subscription

§ 3. Lucius S. Felt, Charles L. Stephenson, John A. Bunichter, Steward Crawford, George Sander, Cephus Foster, and Alonzo L. Cummings, or any three of them, are hereby authorized to open books for the subscription of capital stock for said company, having given ten (10) days' public notice of the time and place of such opening in one (1) of the public newspapers in Jo Daviess county, Illinois, and to keep said books open until at least one hundred (100) shares are subscribed, when they may, at their discretion, close the same until the stockholders shall organize said company by the election of seven (7) directors. After the election of said directors it shall be their duty again to open said books, for subscriptions of stock, until the amount of at least one hundred thousand (100,000) dollars be taken.

Corporate powers.

§ 4. The subscribers of said stock, their associates, successors and assigns, shall be and they are hereby declared a body politic and corporate, by the name and style of "The Citizens' Insurance Company," and shall be capable in law, by their corporate name aforesaid, of contracting and being contracted with, suing and being sued, purchasing, holding and conveying property, both real and personal, and doing all other acts incident to the business of fire, marine and inland insurance.

General powers.

§ 5. Said company may adopt and use a common seal, which they may modify or change at pleasure, and may also adopt, from time to time, such by-laws, ordinances and regulations as shall be deemed necessary and useful in the management of their affairs, and are not repugnant to the laws and constitution of this state or of the United States.

Election of
officers.

§ 6. After the election of directors it shall be their duty to elect, from their own body, a president and vice-president, and, from their own body or otherwise, a secretary and treasurer, who shall each have such power and authority, in the transaction of the business of said company, and receive such compensation for their services, as said directors shall determine; and said directors shall have power, during the term of office for which they are elected, to fill vacancies caused by death, removal or resignation, in such manner as a majority of said directors shall approve.

Take marine
and other risks.

§ 7. Whenever said company shall have *bona fide* subscription of stock to the amount of one hundred thousand (100,000) dollars—twenty-five (25) per cent. of which (or twenty-five thousand (25,000) dollars) shall have been paid in, and the remainder fully secured to the satisfaction of the board of directors, for the payment of losses or liabilities

of said company—it shall and may be lawful for said company to take all marine risks of any kind, and all risks upon inland waters and upon land, carriage and transportation of every kind, and all fire risks of every kind, and all risks of what nature soever upon every kind of insurable property, wherever situated, and all such other insurance as they may deem proper, upon such terms and at such rates as may be fixed upon by said directors. They may also cause themselves to be insured or re-insured against all or any risks upon which they may have made insurance, as well as upon any property or any interest in any property, their own or held by them in trust, or security, collateral or otherwise; and, generally, may do and perform all such matters and things as are necessary or usual for such companies.

§ 8. The board of directors is [are] hereby authorized May loan money to invest in stock or bonds, or to loan on approved security—at such rates of interest and on such terms as are not inconsistent with the usury laws of this state—all moneys of said company, including surplus reserved, dividends uncalled for, and all other moneys under the care and control of said company; but said company is hereby required to keep on hand, in cash, or call loans or government securities convertible into cash, not less than ten thousand (10,000) dollars, as a contingent fund, to meet such losses or liabilities as may arise in excess of the ordinary receipts of said company.

§ 9. The business of said company shall be under the control of seven directors, who shall be stockholders of said corporation. Said directors shall be elected to serve until the regular annual election, which shall be held at the office of the company, in Galena, on the first Tuesday in January, in each year; but in case said election shall not be held on that day, in any year, the directors shall call a special election, of which ten (10) days' notice shall be given in some public newspaper [published] in Galena, and shall hold over until their successors are elected. Said Business managed by directors. election, whether general or special, shall be held under the inspection of three (3) stockholders, to be previously appointed by the board of directors for that purpose, and shall be by ballot, by plurality of the stock represented, allowing one (1) vote for every share—stockholders not present being allowed to vote by proxy, under such terms as may be prescribed by the board of directors. Inspectors of election.

§ 10. All policies issued by said company, as well as Policies signed. all other contracts made by said company, shall be signed by the president, or vice-president acting as president, and the secretary of said company; and all such contracts as are required by law to be under seal, shall have the corporate seal of the company affixed thereto.

Stock deemed
personal property
and transfer-
able.

§ 11. The stock of said corporation shall be considered personal property, and shall be assignable and transferable on the books of said company under such rules, regulations and restrictions as the board of directors may, from time to time, make and establish.

Agents.

§ 12. The board of directors shall have full power and authority to employ, outside of their own number, such agents, general or special, as the business of said company may require, and also to establish such agencies, general or special, at different points, as the business of said company may demand, and to control or remove such agents or agencies at discretion; and to do all other acts necessary for the control and management of the business of said company.

Manner of doing
business.

§ 13. This corporation may conduct its insurance business, in whole or in part, on the principle of return premiums or participation of profits, if the board shall so determine: *Provided, always*, that all risks are assessed at their uniform rates, according to hazard, and the premiums be paid in cash or its equivalent as the time when the risk so taken and the policy issued.

Act, when void.

§ 14. Unless the said company shall be organized within two (2) years from 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.

May loan money

§ 15. This corporation shall have full power and authority to deposit any portion of its unemployed or surplus capital, or other funds under its control, over and above the ten (10) thousand dollars to be kept constantly on hand in cash, or on call, with any corporation, company or individual, for the purpose of facilitating exchanges, or for use in the settlement of losses at different points; and to do and perform all such acts and things as may be requisite in carrying out such transactions for the best interests of said corporation.

When act to
take effect.

§ 16. This act shall be and is hereby declared to be a public act, and to be construed liberally for the beneficial purposes herein granted; and said corporation shall be and continue in force, from and after the passage hereof, for the term of fifty (50) years.

Duration of
corporation.

APPROVED March 15, 1869.

AN ACT to incorporate the Coles County Insurance Company.

In force March
27, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Jacob K. Decker, Thomas G. Chambers, Eli Wiley, James Wheatley, Peter G. Timmons, Hiram Rutherford, and Charles Clarey, their associates and successors, and all such persons as may become stockholders, be and are hereby created a body politic and corporate, by the name and style of "The Coles County Insurance Company;" and, as such corporation, may have a common seal, and power 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 deem proper, not inconsistent with the laws and constitutions of the United States and of the state of Illinois, and to amend, alter and repeal the same; and to have, possess and enjoy all of those rights, privileges and immunities that are or may hereafter be held, possessed or enjoyed by any or all 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.

Corporators.

Name and style.

Corporate powers.

§ 2. The capital stock of this 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, of the date of such vote; which shall 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, direct, 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.

Amount capital stock.

§ 3. When a subscription to the capital stock of said company, of not less than one hundred thousand dollars, shall have been made or taken, and ten per centum thereof actually paid in cash, the subscribing shareholders, or a majority of them, 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. Said board of directors may choose one of their members a president and another a vice-president, and may appoint a secretary and treasurer, and such other officers as they may deem necessary, whose qualifications, duties and compensations 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 time for holding the annual elections and the term of office of the secretary, treasurer, and other employees of the

Election of directors.

Term of office.

company, shall be fixed by the board of directors. The stockholders in said corporation, in person, or by proxy in writing, shall be entitled to one vote for each share of stock held and owned by them, respectively, at the time of such election. A majority of the board of directors shall constitute a quorum for the transaction of business. The board of directors shall have power to fill any vacancy that may occur in their own body, appoint inspectors of election, and perform such other duties as may be necessary for the successful management of said corporation. The home office of this corporation shall be at the city of Charleston, Coles county, Illinois.

General powers. § 4. The said company shall have power to make insurance against loss, by fire, on any and all kinds of property, real and 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 to cause themselves to be re-insured against any risk upon which they may have insurance.

Dividends to be declared. § 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.

Surplus funds. § 6. The company may invest any surplus capital, or other surplus money on hand, in any kind of stocks, bonds, notes, mortgages, or other securities deemed safe. The company may own such real estate as may be needful to transact its business, and may take, purchase, hold, sell and convey such other real estate as it may be deemed necessary to recover any loan or debt due by decree, 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.

Agencies. § 7. Said company may establish agencies, and do all such acts by and through them, according to the power 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, form and conditions of the policy, and the manner of adjusting losses, and may also prescribe the manner in which unpaid stock shall be secured.

Act, when void. § 8. 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 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 take effect from and after its passage.

APPROVED March 27, 1869.

AN ACT to incorporate the De Witt County Insurance Company.

In force March
27, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly Convened,* That John Warner, Samuel Magill, Henry Crosby, James Deland, Vespasian Warner, William Hagnie, and William Bishop, 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 De Witt County Insurance Company." The corporation may have a common seal, and power to appoint all 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 be recognized in all its rights and powers, without pleading, the same in all the courts of the state of Illinois.

Corporators.

Name and style.

Corporate powers.

§ 2 The capital stock of this company shall be fifty 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 fifty 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.

Amount capital stock.

§ 3. When a subscription to the capital stock of not less than fifty 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 stock to that amount, at the par value of said stock, or in mortgages on unincumbered real estate of double the value of said 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 their number as president and another as vice-

Organization.

Officers.

- Term of office 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, 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 Clinton, in the county of De Witt, and state of Illinois.
- Issue of policies § 4. The said company shall have power to make insurance against loss, by fire, on 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 charges 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.
- Dividends. § 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 of the stock subscribed, from time to time; and the capital stock may be called in as may be required by the by laws.
- Surplus funds. § 6. The company may invest any surplus capital or other money on hand, in any kind of stock 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 incorporation, each shareholder shall be liable, *pro rata*, on the amount and to the amount of unpaid stock due from each.
- Agencies. § 7. Said corporation 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.
- Act, when void. § 8. Unless the said corporation 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 corporation 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

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

APPROVED March 27, 1869.

AN ACT to incorporate the Farmers' Mutual Insurance Company of the township of Bradford, Lee county. In force June 19, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, [That] Ira Brewer, K. B. Evetts, Thomas S. Hulbert, Charles D. Hart, Valentine Hicks, C. F. Starks and George Hulbert, and their associates, successors and assigns, are hereby created and constituted a body corporate, by the name, style and title of "The Farmers' Mutual Fire Insurance Company of Bradford, in the county of Lee," and by that name shall have perpetual succession with all the legal incidents of a body politic and corporate in law, and may sue and be sued, and use a common seal, and alter and change the same at pleasure, make all by-laws, rules and regulations that shall be necessary and convenient for the government of the said corporation, not inconsistent with the constitution and laws of the United States, nor of this state, and generally to do all and singular the matters which to them lawfully appertain to do for the well being of said corporation and the management of the affairs thereof: Provided, that if the corporation created by this act shall not be organized within one year from the passage thereof, this act shall be null and void.*

Corporators.

Name and style.

Corporate powers.

§ 2. That the said corporation shall not hold any property, except what may be absolutely necessary for the transaction of their corporate business, or such as shall be taken in security for, or in payment of debts, nor shall any by-laws be repugnant to this instrument, the constitution of the United States or of this state.

Restricted from holding property.

§ 3. That the power of this association shall be vested in seven managers. At the first meeting of the board of managers of the Farmers' Mutual Fire Insurance Company of Bradford, in the county of Lee, which shall be held after the passing of this act, the members of said board shall be divided into three classes, two of which shall consist of two members each and one of three members. The seats of the first class shall be vacated at the expiration of the first year, of the second class at the expiration of the second year, and of the third class at the expiration of the third year, so that one class shall be chosen every year.

Managers.
Powers.

Mutual insurer. § 4. That each insurer in or with this company shall be a member thereof, during the term of his or her policy, and no longer.

Annual meetings. § 5. That general meetings of this company shall be held annually, on the first Tuesday in February, at some convenient place in the town of Bradford, in the county of Lee, and also whenever called by the board of managers, or whenever requested by the members; and the members shall, at such general meetings, pass all by-laws, rules and regulations necessary for the well governing of the affairs of the corporation, or vest the power so to do in the board of managers. All elections shall be by ballot, and each member entitled to one vote, and no proxy votes shall be given. The elections shall be by three judges chosen by the members present for that purpose, who shall certify under their hands the result of said election, and the same shall be filed with the papers of the corporation. The managers for the time being shall choose from among their own members a president, and shall also appoint a secretary and treasurer, who shall continue in office for one year, or till their successors are chosen or appointed; they shall also appoint such other agents and officers as may be necessary, fix their respective fees and salaries, and require such bonds for the faithful discharge of the duties assigned as may be deemed necessary, or the interest of the company may require, and shall have full power to suspend, remove or displace any such officer or agent of the company, and supply any vacancy which may happen by death, removal or resignation, from among their own members, until the next ensuing election. They shall procure a book or books wherein shall be fairly and legibly entered all the transactions of the board of managers, which book shall at all times be open for the inspection of the members of said corporation, and a copy or copies thereof, signed by the president and attested by the secretary, shall be deemed and taken as legal evidence against the corporation, as the transaction of said board of managers, a copy of which shall be furnished at the request of any member; and said officers shall, at the annual meeting of the members, present to the company a general and detailed statement of its affairs.

Judges of election.

Officers to be elected.

Vacancies, how filled.

Financial statement.

Issue of policies

§ 6. That the president and managers shall have full power, on behalf of said corporation, to make insurance against loss by fire on any house, tenement, barn or other buildings, and on goods, wares, effects, and on household furniture therein, on live stock, and on hay, grain and other agricultural products in barns. But shall not effect insurance on any store, mill, factory or shop, nor on books of account, bills, bonds, ready money, jewels, plate, paintings and engravings, and shall have power to make, execute and perfect such and so many contracts, bargains, agreements,

policies, and other instruments as shall or may be necessary, and as the nature of the case may require; and every such contract, agreement and policy to be made by said corporation, shall be signed by the president and attested by the secretary, and shall also be signed by the party insured.

§ 7. It shall be lawful for said company to employ and invest all moneys received by them, and the profits thereof, in the purchase of any ground-rents or mortgages, or any loans or stocks of the United States, [or] of this state, and no money shall be drawn from the funds of the said company for the purpose of making dividends, or dividing profits, or for other purposes than first to defray the current or incidental charges of the corporation and then for the purpose of such damages as any member^s of said company or insurer therein may be justly entitled to, and when the first demand of any insurer in said company, or member thereof, shall exceed the amount of its available funds on hand, such sums as shall be necessary to pay the same shall, without unnecessary delay, be assessed by the board of managers on insurances, each member to pay in proportion to the amount he has insured, and publish the same, and all and every of the members of the company shall pay into the hands of the treasurer his, her or their proportionable rates within thirty days after such publication aforesaid, and if any member shall refuse or neglect to pay as aforesaid for the period of sixty days, his, her or their policy or policies shall become suspended until payment shall have been made, and shall, notwithstanding, be liable to said rates pursuant to his, her or their covenant or agreement, the collection to be enforced by law as provided for the collection of debts.

General powers.

Non-payment.

§ 8. Every member of this company who shall sustain any loss by fire, shall give notice in writing, within fifteen days, to the president or secretary of said company, who shall appoint a committee of three from the board of managers, who shall assess the damages and report the same to the board of managers through the president or secretary within two weeks from the time of their receiving notice of their appointment, and the board of managers shall, with all convenient expedition, after receiving such report and ascertaining the sum to which said party shall be lawfully entitled, make provision and payment as is herein specified.

Assessment of damages when losses occur.

§ 9. The members shall, at their general meetings, fix such rates of insurance and incidental charges and fees as may be deemed equitable and just, or vest the power so to do in the board of managers; and any person who shall become a member of this corporation, by effecting insurance therein, shall, the first time he effects insurance, and before he, she or they shall receive his, her or their policy,

Insurance rates.

pay the rates that shall have been fixed and determined upon, and no premium so paid shall be withdrawn from the company during the continuance of its charter.

Transfer policy. § 10. That in case any insured named in any policy or contract of insurance made by the said corporation, shall sell, convey or assign the subject insured, it shall be lawful for such assured to assign and to deliver to the purchaser such policy or contract of insurance, and such assignee shall have all the benefit of such policy or contract of insurance, and may bring and maintain a suit in his or her own name: *Provided*, that before any loss happens he, she or they shall obtain the consent of the president and secretary to such assignment, and have the same indorsed on or annexed to such policy or contract of insurance, to be according to the foregoing directions for that purpose, and not otherwise.

Construction of act. § 11. Nothing in this charter shall be so construed as to allow any of the funds of the association to be used for banking or manufacturing purposes.

When act injurious to public. § 12. If at any time it shall appear that the chartered privileges hereby granted are injurious to the public welfare, the power thereof to repeal shall not affect any engagements to which the said company may have become a party previously thereto, and the said company shall have a reasonable time to bring their accounts to a final settlement. Suits at law may be maintained and prosecuted by any member against the corporation for losses or damages incurred by them, if payment is withheld for more than ninety days after the corporation is notified of such losses.

APPROVED March 30, 1869.

In force March 29, 1869. AN ACT to incorporate the German Farmers' Fire Insurance Company of Massac county, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Earnest Wineke, William Houseman, Henry Westiman, Richard Arnsman, Henry Goyrt, Carl H. Borman, and all persons associated with them under their constitution at the time of the passage of this act, or who may hereafter associate with them in the manner hereinafter prescribed, shall be a body politic and corporate, by the name and style of "The German Farmers' Fire Insurance Company of Massac county, Illinois;" and, by that name, may sue and be sued, appear, prosecute and defend, in any court of law or equity; may have and use a common seal, alter and renew the same at pleasure; may make and establish such

Corporators.

Name and style. Corporate powers.

by-laws, ordinances and resolutions, not 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 the affairs of their company, and they may do and execute such acts and things as may be necessary to carry into effect the provisions of this act.

§ 2. The officers of this company shall be a president, a vice president, a secretary, an assistant secretary, and three solicitors, all of whom shall be elected by ballot by the members of the company. The president, vice president, secretary and assistant secretary, shall hold their office, respectively, for one year and until their successors are elected and enter upon the duties of their office. The president shall preside at the meetings of said company, and shall call a special meeting at the request of twelve members made in writing, notice of said meeting being given as is hereinafter provided for regular meetings. He shall approve of all assessments and shall give the casting vote in case of a tie. The vice president shall perform the duties of president in the absence of the president, or in case of his inability to act. The secretary shall keep the books of the company. He shall record the proceedings of each meeting, shall keep a roll of the members of the company, with the date when each member joined said company, and the value of the property of said member insured and its kind. He shall also keep a true account of all expenses of the company and the assessments made against each member, and for what purpose such assessment is made. He shall also record all by-laws and rules adopted by the company, and post notices for meetings and elections as is hereinafter provided. In the absence of the secretary, or in case of his inability to act, the assistant secretary shall perform the duties of secretary. The solicitors shall fix the value of the property of each member which is to be insured by the company and report the same to the secretary, and after any of the insured property of a member has been destroyed by fire, shall without delay repair to the loss and adjust the same, and make reports to the secretary, who shall then apportion the amount to be paid among the various members of the company, under such rules as the company shall adopt; and when any member shall refuse to pay the amount of his assessment when made under the regulations of the company, the member sustaining the loss, or the company, shall have a right to collect the same in an action of debt or assumpsit, before any court having jurisdiction of the amount, with interest thereon at the rate of ten per cent. per annum from the time the demand is made until judgment is rendered, and all cost of suit. The solicitors shall hold their office for five years and until their successors are elected and enter upon the duties of their office.

Election of officers.

Term of office.

Solicitors.

Compel payment.

Time and place
of election.

§ 3. The annual election for officers as is provided in section second of this act shall take place on the first Saturday of March in each year hereafter. The officers now holding office in said company exercise the duties enjoined by this act until the first regular election hereafter. An election may be called at any time to fill a vacancy. It shall be the duty of the secretary to post notices in at least three places in Massac county, for three weeks preceding any election, giving notice of the time and place of holding such election.

Policies issued
binding in law.

§ 4. This company may insure the property of its members against loss by fire, lightning, hurricanes, or the dangers of navigation, under such rules and regulations as the company shall adopt, and all previous contracts of insurance by this company shall be deemed valid and binding in law.

Eligibility of
members.

§ 5. Any inhabitant of Massac county, state of Illinois, who is the owner of insurable property, may become a member of this company upon such conditions as the company shall prescribe; and all persons now members of the company shall be deemed members after the passage of this act. Members may be expelled by the company under such rules and regulations as the company shall adopt.

§ 6. This act shall be deemed a public law and shall be liberally construed for the purposes herein mentioned, and shall be in force from and after its passage.

APPROVED March 29, 1869.

In force March 31, 1869. AN ACT to incorporate the Green Garden Farmers' Fire Insurance Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Henry Stassen, Frederick Luchholz, Henry Wishhoever, Henry Suhl, Henry H. Stassen, sr., Henry Engelmann, Peter Conrad and Henry H. Stassen, jr., of the county of Will, in said state, and all other persons who may become members of the said company, in the manner hereinafter prescribed, be and they are hereby incorporated and constituted a body politic and corporate, by the name and style of

Name and style.

“The Green Garden Farmers' Fire Insurance Company;” and, by such name, shall have succession and continue in existence fifty (50) years from and after the passage of this act, for the purpose of insuring their respective dwelling houses, stores, shops, barns, stables and other buildings, household furniture, produce, and live stock, against loss or damage by fire, whether the same shall happen by acci-

dent, lightning, or by any other means, excepting that of design on the part of the assured, or by the invasion of an enemy, or insurrection of the citizens of this or any other of the United States; and by that name may sue and be sued, plead and be impleaded, prosecute and defend, in any court of record or other place whatever; may have and use a common seal, may purchase and hold such real and personal estate as may be necessary to effect the object of their association, and may sell and convey the same at pleasure: *Provided*, such real estate shall not exceed forty (40) acres; may make, establish and put into circulation [execution] such by-laws, ordinances and resolutions, not being contrary to [the laws of] this state or of the United States, as to them may seem necessary or convenient for their regulation and government and for the management of their affairs, and to do and execute all such acts and things as may be necessary to carry into full effect the purposes intended by this charter.

Corporate powers.

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

Membership.

§ 3. There shall be a meeting of the said company in the town of Green Garden, in the county of Will, in said state of Illinois, on the second Monday in January in each year, or on such other day as the said company may hereafter determine, at which annual meeting shall be chosen, by a majority of the votes cast by members present, a board of directors consisting of not less than nine (9) members, who shall continue in office until others have been chosen and accepted the trust in their stead. In all vacancies occurring in said board, whether by removing from the state, resigning, dying, refusing to act or neglecting to act, for and during the space of three (3) months successively, then, and in every such case, another director shall be chosen in the place of each director so removing, resigning, dying, refusing or neglecting to act as aforesaid, by a majority of the directors present at any monthly meeting, which directors, so chosen, shall remain in office until the next general election of directors; and the majority of the whole board of directors shall constitute a quorum for the transaction of business. At the first annual meeting, the board of directors shall class themselves, by lot, into three (3) classes, of equal number each, the term of whose service shall respectively expire as follows: The first class in one year, the second class in two years, and the third class in three years. For the better supervision of the

Meetings.

Board of directors.

Quorum.

business, the directors shall divide each town into four districts, as nearly equal as possible. For each of such districts, they shall appoint a director, who must be a member of said company, at the time of such appointment, and who shall officiate under the name of overseer, whose duties shall be prescribed in the by-laws of said company, who shall not, however, be entitled to a vote in the board of directors; but the overseers of each town shall choose one of their number as principal, who shall thus be constituted a member of the board of directors, and who shall officiate under the name of director, and those directors, chosen as aforesaid, shall compose the board of directors for this company. Special meetings of the company may be called by order of the directors, or whenever the owners of one-tenth part of the property insured in said company shall apply to the directors, setting forth, in writing, the purpose for which a meeting is desired.

§ 4. The board of directors shall elect a president, vice president, secretary, and treasurer, who shall hold their respective offices for the period of three years, and until others are chosen in their place. The board of directors may also appoint an executive committee from their own number, and such committee, when the board is not in session, may exercise all the powers vested in the company, except where the company has, by its by-laws, otherwise provided. The board of directors may also appoint examiners, agents and such subordinate officers as they shall deem necessary, who shall hold their offices during the pleasure of the board. The board of directors shall superintend the concerns of said company, and shall have the management of the funds and property thereof, and of all matters and things thereunto relating, not otherwise provided for by said company.

§ 5. It shall be the duty of the board of directors of said company to prescribe the duties of their respective officers and agents, and fix their compensation, and take such security from them as they may deem necessary for the faithful performance of their respective duties. They shall also determine the rates of insurance, the sum to be insured on any building, not exceeding two-thirds of its value, nor more than two-thirds the value of personal property, and the sum to be deposited for the insurance thereof. They shall order and direct the making and issuing of all policies of insurance; the providing of books, stationery and other things needful for the office of said company, and for carrying on the affairs thereof, and may draw upon the treasurer for the payment of all losses which may have happened, and for expenses incurred in transacting the concerns of said company, and may hold their meetings monthly and oftener, if necessary, for transacting the business of said company, and shall keep a record of their pro-

Appointment
of overseer.

Special meet-
ings.

Election of offi-
cers.

Control of funds

Board of di-
rectors.

Duties of.

General powers.

ceedings; and any director, disagreeing with a majority of the board, at any meeting, may enter his dissent, with his reasons therefor, on record.

§ 6. The directors may extend the insurance of said company to any part of this state, with the exceptions and provisions hereinafter enacted, not exceeding the sum of four thousand dollars (\$4,000) in any one risk, at such rate or rates as said directors may, in view of the equity of the case, and the interest of the company, determine. Insurance shall be made, in all cases, upon the representation of the assured contained in his application therefor, and signed by himself or his attorney; which representation shall, in fairness and good faith, state all the material circumstances, within his knowledge, which may affect the risk: *Provided*, that in case of any loss or damage by fire, the valuation of the property, at the time of such loss or damage, shall be determined by the award of impartial men, as hereinafter provided.

May extend policies to all parts of state.

§ 7. This being intended to be a "Farmers' Mutual Insurance Company," the officers thereof shall not take any risk on anything else but farm property, exclusively. Books of accounts, written securities or evidence of debt, title deeds, manuscript or writings of any description, money or bullion, curiosities, jewels, medals, musical instruments, plate, paintings, sculpture, statuary, watches, gold or silverware of any kind, shall not be deemed or taken to be objects of insurance in said company.

Farm property only insured.

§ 8. The rates of insurance shall be, from time to time, fixed and regulated by the company, and premium notes therefor shall be received from the insured, which shall be paid at such time or times, and in such sum or sums as the company shall, from time to time, require for losses and expenses.

Insurance rates.

§ 9. The cash premiums received in addition to the premium notes, shall be applied in payment of losses and expenses before any assessment shall be made upon the said premium notes; and the said cash premiums, together with the premium notes, shall constitute the capital stock of this company.

Premium notes capital stock.

§ 10. When any property insured by this company shall be alienated by sale or otherwise, the policy shall, thereupon, be void, but in such cases, it shall be lawful for such insured to assign and deliver to the purchaser or purchasers such policy of insurance, and such assignee or assignees shall have all the benefits of such policy, and may bring and maintain a suit thereon, in his, her or their own name: *Provided*, that before any loss happens, he, she or they shall obtain the consent, in writing, of the said company, to such assignment, and have the same indorsed or annexed to the said policy of insurance.

Policy void.

Liability of members. of § 11. Every member of this said company shall be and is hereby bound to pay his proportion of all losses and expenses happening or accruing in and to said company; and all buildings insured by and with the said company, together with the right, title and interest of the assured to the lands on which they stand, shall be pledged to said company; and the said company shall have a lien thereon, against the assured, during the continuance of his, her or their policy.

May loan money § 12. The board of directors may invest and employ the funds of said company, in such way and manner as the interest and welfare of the company may require: *Provided*, that nothing be herein construed as authorizing them to engage in any banking operations, or to traffic in any goods, wares or merchandise, or to exempt any of the property of said company from taxation, except the premium notes.

Insured to give notice of loss. § 13. In case of any loss or damage, by fire, happening to any member, upon property insured in and with said company, the said member shall give immediate notice thereof, in writing, to the directors or some one of them, or to the secretary of said company, and the directors, upon a view of the same, or in such other manner as they may deem proper, shall ascertain and determine the amount of said loss or damage; and if the party suffering is not satisfied with the determination of the directors, the question may be submitted to referees, or the said party may bring an action against said company for said loss or damage, at the next court to be holden in and for the county of Will, and not afterwards, unless said court shall be holden within sixty (60) days after said determination; but if holden within that time, then at the next court holden in said county thereafter; and if upon trial of said action, a greater sum shall be recovered than the amount determined upon by the directors, the party suffering shall have judgment therefor, against said company, with interest thereon from the time said loss or damage happened, and cost of suit; but if no more shall be recovered than the amount aforesaid, the said party shall become *non suit*, and the said company shall recover their costs: *Provided, however*, that the judgment last mentioned shall, in no wise, affect the claim of said suffering party to the amount of loss or damage as determined by the directors aforesaid: *And, provided, also*, that execution shall not issue on any judgment against said company until after the expiration of three (3) months from the rendition thereof.

Payment of proportion. § 14. The directors, after receiving notice of any loss or damage by fire, sustained by any member, and ascertaining the same, or after the rendition of any judgment as aforesaid, against said company, for such loss or damage (provided the cash fund received by the said company should not be sufficient to meet said loss or damage), shall settle and

determine the sums to be paid by the several members thereof, as their respective proportions of such loss, and publish the same in such a manner as they shall see fit, or as the by-laws may have prescribed; and the sum to be paid by each member shall always be in proportion to the original amount of his premium note or notes, and shall be paid to the treasurer within thirty (30) days next after the publication of said notice; and if any member shall, for the space of thirty (30) days after such notice, neglect or refuse to pay the sum assessed upon him, her or them, or his, her or their proportion of any loss as aforesaid, in such case, the directors may sue for and recover the whole amount of his, her or their deposit note or notes, with cost of suit; and the money thus collected shall remain in the treasury of said company, subject to the payment of such losses and expenses as have or may hereafter accrue; and the balance, if any remain, shall be returned to the party from whom it was collected, on demand, after thirty (30) days from the term for which insurance was made.

§ 15. Said company may make insurance for any term Term of policy. not exceeding five (5) years, signed by the president, and countersigned by the secretary, which shall be deemed valid and binding on said company, in all cases where the assured has a title fee simple, unincumbered, to the building or buildings insured, and to the land covered by the same; but if the assured has a less estate therein, or if the premises be incumbered, the policy shall be void, unless the true title of the assured and the incumbrance on the premises be expressed therein.

§ 16. The directors shall settle and pay all losses within three (3) months after they shall have been notified and satisfactorily proven, unless they shall judge proper, within that time, to rebuild the house or houses destroyed, or repair the damage sustained, which they are empowered to do, within a convenient time: *Provided*, they do not lay out and expend in such building or repairs, more than the sum insured on the premises; but no allowance is to be made in estimating damages, in any case, for gilding, historical or landscape painting, stucco or carved work, nor are the same to be replaced, if destroyed by fire. Time of payment of losses.

§ 17. When any house or other building shall be alienated by sale or otherwise, the policy thereupon shall be void, and be surrendered to the directors of said company, to be canceled; and upon such surrender, the assured shall be entitled to receive his, her or their deposit note, upon the payment of his, her or their proportion of all losses and expenses that have accrued prior to such surrender: *Provided, however*, that the grantee or aliens, having the policy assigned to him, may have the same ratified and confirmed to him, her or them for his, her or their own proper use and benefit, upon application to the directors, and with their Policy void.

consent, within thirty (30) days next after such alienation, on giving proper security, to the satisfaction of said directors, for such portion of the deposit note as shall remain unpaid; and by such ratification and confirmation, the party causing the same shall be entitled to all the rights and privileges, and subject to all the liabilities, to which the original insured was entitled and subjected under this act.

Risk increased.

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

Buildings on leased grounds,

§ 19. In case any building or buildings situated upon leased lands, and insured by said company, be destroyed by fire, and the owner or owners thereof shall prefer to receive the amount of such loss or damage in money, in such case the directors may retain the amount of the premium note given for the insurance thereof, until the time for which insurance was made shall have expired; and, at the expiration thereof, the insured shall have the right to demand and receive such part of said retained sum or sums as has not been expended in losses and expenses.

Double insurance.

§ 20. If insurance on any house or building, household furniture or other property, shall be and subsist in said company, and in any other company, or from and by any other person or persons, at the same time, the insurance made in and by this company shall be deemed and become void, unless such double insurance subsist by and with the consent of the directors, signified by indorsement on the back of the policy, signed by the president and secretary.

Privileges of members.

§ 21. Each and every member of said company shall be entitled to and allowed an examination of the books, papers and general transactions of said company, upon application therefor to the president by said member.

Annual report.

§ 22. It shall be the duty of the directors to make an annual report of the condition, progress and affairs of said company; which said report shall be published in a weekly paper, having a general circulation in this state, at least three (3) weeks before the day on which the annual meeting of the company is to take place.

Place of doing business.

§ 23. The operations and business of said company shall be carried on and conducted at such a place in Green Garden, county of Will, as a majority of the members present at any regular meeting shall designate.

§ 24. The individuals 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 therein provided for. They shall, if they think proper, have power to make up their number to nine (9), as allowed in the third (3d) section of this act, from among the members of said company; and all vacancies which may occur in said board, by death, resignation, removal or refusal to serve, may be filled by the remaining members of said board; and a majority of their number, at any time, shall constitute a quorum for the transaction of business. They may call the first meeting of the members of said company at any suitable time and place in Green Garden, county of Will, aforesaid, by advertisement in two (2) weekly newspapers printed in this state, giving at least three (3) weeks notice of the place, time and design of the meeting. They may make and establish by-laws for the government of said company, until the first annual meeting thereof, and may transact any business necessary and proper to carry into effect the provision and intentions of this act: *Provided, however*, that all policies of insurance issued by this company shall be binding and valid, only, from the time when the amount of all the sums thereby insured shall reach the sum of one hundred and twenty-five thousand dollars (\$125,000).

First board of directors.

Call of meeting.

§ 25. If it shall ever so happen that the whole amount of deposit notes shall be insufficient to pay the losses occasioned by any one fire, in such case the sufferers insured by said company shall receive, towards making good their respective losses, a proportionate dividend of the whole amount of said notes, according to the sums by them respectively insured, and in addition thereto a sum, to be assessed on all the members of said company, not exceeding fifty (50) cents on every one hundred dollars (\$100) by them respectively insured; and the said members shall never be required to pay for any loss occasioned by fire, at one time, more than fifty (50) cents on each one hundred dollars (\$100), insured in said company, in addition to the amount of his deposit note, nor more than that amount for any such loss after his said note shall have been paid in and expended; but any member, upon payment of the whole of his deposit note, and surrendering his policy before any subsequent loss or expense has accrued, may be discharged from said company.

When deposit notes insufficient to pay the losses.

Per centage assessed for losses

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

APPROVED March 31, 1869.

In force March
23, 1869.

AN ACT to incorporate the Hibernian Insurance Company.

Corporators.

Name and style.

Amount capital
stock.

Increase capi-
tal stock.

Open books for
subscription.

Organization.

Issue of policies

Terms of office
of first board.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Thomas Lonergan, Michael Keeley, R. Prendiville, Philip Conley, John Reid, Daniel O'Hara, E. P. Dwyer and J. V. Clark, 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 the name and style of "The Hibernian Insurance Company," situated at Chicago, and by that name shall 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.

§ 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, at their discretion, 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 the said corporation, and not otherwise.

§ 2. Books of subscription may be opened at the discretion of the majority of the parties named in this act; and when the amount of capital stock, as provided in the foregoing section, shall have been subscribed, and the subscribers shall have chosen nine directors, and said directors shall have chosen out of their number a president and vice-president, and appointed a secretary, said board of directors may declare the company organized, and proceed to call in such an installment of the stock as they may deem necessary, not less than twenty per cent., in cash, and for the balance of such subscription may take bonds and mortgages on unincumbered real estate in the state of Illinois, or judgment notes of responsible parties in the city of Chicago, at their discretion.

§ 4. The said company shall have power, by instrument under seal or otherwise: *First*—to make insurance upon all descriptions of property against loss or damage by fire. *Secondly*—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. *Thirdly*—to cause themselves to be reinsured against any risk upon which they may have insurance.

§ 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 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 such 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.

Stockholders,
vote of.

§ 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 also be judges of the qualification of voters. Notice of such elections shall be given by publication in one or more daily newspapers, published in Chicago, at least two weeks previous thereto, over the signature of an officer of the company.

Vacancies, how
filled.

§ 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.

Appointment
of officers.

§ 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.

Policies signed.

§ 9. The office of said company shall be located in the city of Chicago, but the officers may appoint such agents in other places as they may deem expedient.

Office, location.

§ 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 dividends thereof, to the stockholders, as they may deem desirable.

Dividends.

§ 11. By the consent, in writing, of three-fourths of the stockholders, the insured may be allowed to participate in the net profits of the company, to such an extent and upon such terms as the directors may deem expedient.

Profits.

Banking business prohibited.

§ 12. Nothing in this act contained shall authorize said corporation to receive deposits or do a banking business.

Liability of stockholders.

§ 13. Each stockholder in this corporation shall be individually liable for the debts and contracts of said company, to the extent of his unpaid stock.

When act to be void.

§ 14. 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 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 be liberally construed for the purposes therein contained, and take effect from and after its passage.

APPROVED March 26, 1869.

In force March 31, 1869.

AN ACT to incorporate the Illinois Joint-Stock Insurance Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Samuel W. Little, Luke R. McMurray, John J. Frunkhouser, Jonathan Phelps, Henry G. Hobing, Thomas L. Craddock, and Jose P. M. Howard, and such other persons as may hereafter become stockholders in the corporation hereby created, their successors and assigns, be and they are hereby created a body politic and corporate, under the name and style of "Illinois Joint-Stock Insurance Company," and by such name shall have perpetual succession, and may sue and be sued, plead 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; and shall be recognized in all its rights and powers, without pleading, the same in all the courts of this state.

Corporate name and powers.

Purchase, hold and convey real estate.

§ 2. 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 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 to alter, amend or repeal the same.

§ 3. Said company shall have power to insure any or all persons, companies and corporations against loss or damage, by fire, to any dwelling house, store, shop or other buildings, household furniture, merchandise, machinery or other property, whether personal, real or mixed, and against marine and 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 of North America belonging to the government of Great Britain, and also including transportation upon all railroads within the United States and British provinces, and to cause themselves to be reinsured against any risk upon which they may have insurance, to fix charges and rates thereof, and to receive and collect such rates for insurance as may be agreed upon by the parties.

Objects of the corporation.

§ 4. 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 deemed personal property, and shall be certified, registered and numbered upon the books of the company, and shall be assignable and transferable on the books of said company under such regulations as the directors may establish—of which capital stock ten per cent. thereof shall be paid in before said corporation shall be authorized to issue policies of insurance under this act.

Amount capital stock.

§ 5. The business affairs of the corporation hereby created shall be vested in a board of not less than three nor more than seven directors, and such other officers, agents, attorneys and servants as may be, by resolution or otherwise, provided for; and the persons named in the first section of this act—or as many of them (in any number not less than three) as shall qualify by subscribing for at least ten shares, each, of the capital stock of said company—shall be and are hereby constituted the first board of directors, and shall hold their office for one year and until their successors are elected and qualified; whose duty it shall be to organize the company by electing from their own number a president and a vice-president, of the company, and appointing a secretary and a treasurer; and when so organized shall, as soon as practicable, cause books to be opened for subscriptions to [the capital stock], and shall themselves (or as many of them as shall act as directors under this act) subscribe for at least ten shares, each, of the capital stock of said company; and as soon as one hundred thousand dollars shall have been subscribed to the capital stock of said company, the board of directors under this act, and any subsequent board (a majority of whom shall constitute a legal quorum for the transaction of business), shall have power to require the

Board of directors.

Powers.

First board of directors.

Pay subscriptions by installments.

payment, by installments, of said capital stock, and, from time to time, to collect the same until the whole of said capital stock shall have been collected and paid in; and each stockholder shall be held liable for the debts of said company and for all losses and liabilities, *pro rata*, to the amount of stock subscribed, by him, and no more.

Stock forfeited. § 6. In case any subscriber to the capital stock of said company shall neglect or refuse to pay any installment or installments, or any part of the amount by him subscribed for, said board of directors shall, at their option, have the power to forfeit such stock, and sell the same in such manner as may be prescribed by the by-laws of said company.

Invest funds in U. S. bonds. § 7. Said company, by its board of directors, may cause said capital stock, or any surplus of the same, or other moneys on hand, to be invested in the bonds of the United States or of this state, or any other stock or bonds they may deem best for the interests of said company, or in mortgages or deeds of trust upon real estate, or may loan the same at a rate of interest not exceeding ten per cent., and may make and declare dividends; but all dividends shall be applied in payment of the capital stock subscribed, until the amount subscribed by each stockholder shall be fully paid by installments or dividends; and after such full payment of any and all of the stockholders, all dividends shall be paid to such stockholder or to the person or persons holding the stock.

May hold and convey real estate. § 8. 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 to said company, or in any manner 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.

May borrow money. § 9. For the purpose of securing the prompt payment of losses and expenses, the directors of said 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.

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.

Record of company evidence. § 11. A copy of any record of said company, under the seal of the company, and certified by the secretary, shall be taken as *prima facie* evidence thereof, in any court [or] tribunal in this state, upon the subject matter contained therein.

§ 12. A statement of the true condition of the company shall be made to the stockholders each year, by the officers thereof, at the time of the annual election of directors. Annual financial statement.

§ 13. Any director, officer, agent, or other person who shall collect or receive any money or other valuables belonging to said company, and shall not account for and pay over the same, on demand of said company, any such director, officer, 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. Malconduct in office.

§ 14. The principal office of said company shall be located in the city of Effingham, in the county of Effingham, in this state, but the officers of said company may appoint such agents or agencies in other places, in and out of this state, as they may deem necessary. Location of office.

§ 15. The board of directors shall, as soon as fully organized, establish rules and regulations, by which its members shall be governed and the business of the company conducted. The rules 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, and, from time to time, may alter or amend any rules, regulations or by-laws of said company, as they may see fit or proper. To establish by-laws and regulations.

§ 16. After the first year, and when there shall have been one hundred thousand dollars of the capital stock of said company subscribed for—and not less than ten per cent. of that amount paid in—the stockholders shall elect, annually, on the second Tuesday of June, in each year, from their number, a board of directors, consisting of not less than three nor more than seven persons—said election to be held at the office of the company in the city of Effingham—each share of paid up stock, or stock upon which all assessments or installments shall have been paid, being entitled to one vote, to be cast either in person, by the holder thereof, or by proxy. A majority of the votes cast at any and all elections shall decide the same; and at all annual elections for directors, of said company, the number present shall appoint three stockholders, to act as inspectors of elections, who shall canvass the votes and declare the result; and the persons, to the number registered for directors, who shall receive the greatest number of votes shall be declared elected, and shall hold their office for one year and until their successors are elected and qualified: *Provided*, that no person shall be voted for or be eligible or qualified to hold the office of director in said company who shall not own, in his own name, at least ten shares of the capital stock of said company; and said directors shall, as soon as qualified, organize the new board, and proceed to elect Organization. Election. Inspectors of election.

from their number a president and vice-president of the company, and to appoint a secretary and treasurer.

Vacancies, how filled.

§ 17. Vacancies in the board of directors shall be filled by a majority of those remaining—such appointee or appointees to hold office until the next annual election and until their successors are elected and qualified.

Failure to elect.

§ 18. If it shall happen that the election of directors shall not be held on the day when, pursuant to this act, it should have been held, said 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 resolution or by-laws of said company.

When act to take effect.

§ 18. This act shall be deemed a public act, and shall take effect from and after its passage, and shall be liberally construed for all the purposes hereby sought to be obtained; and said company shall be entitled to all the rights, powers and privileges provided for by any general law now in existence or that may hereafter be passed by the legislature of this state, and shall be subject to all future legislation upon the subject of insurance of a general nature.

APPROVED March 31, 1869.

In force March 26, 1869.

AN ACT to incorporate the Kane County Mutual Protection Society.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Alexander McCornack, Benjamin Cox, John A. McQueen, Hiram Wilson, and their successors, be and are hereby constituted a body politic and corporate, by the name and style of "The Kane County Mutual Protection Society;"* and by that name shall have perpetual succession, and shall have and possess and be invested with all the powers, rights, privileges, liabilities and immunities incident to a complete [corporate] body.

Name and style.

Officers.

§ 2. The officers of said society shall be a president, vice-president, secretary, treasurer, police captain and three trustees, who shall be chosen annually, on the fourth Saturday in November, in each year, by ballot, who shall hold their respective offices until their successors are elected.

Notice of election.

Notice of the first election shall be given by the corporators herein named (or any four of them) for at least ten days, by publication in some public newspaper, printed and published in the city of Elgin, stating the time and place of holding such election, and by posting at least ten similar notices in at least ten public places in the said county; and said corporators shall superintend said first election. All

subsequent elections shall be held and conducted in the manner provided in the constitution and by-laws of said society; and any failure or neglect to elect officers at the appointed time shall not work a forfeiture of this act of incorporation.

§ 3. The object of said society shall be the mutual protection of its members against the depredations of thieves and robbers, especially horse thieves, by all lawful means; the prompt pursuit and capture of thieves and criminals; the offering rewards for arresting the same, and also for retaking stolen property. Objects of the corporation.

§ 4. Any person residing within the limits of Kane county may become a member of this society by a vote of two-thirds of said corporators, originally, and after its full organization, by a vote of two thirds of the members present, at any regular meeting, and by paying the sum of one dollar into the treasury thereof, upon subscribing to the conditions thereof. Membership.

§ 5. Any member may withdraw from said society after paying all dues and assessments thereto, by filing written notice thereof with the secretary, who shall present the same at the next meeting of the society, and at said meeting publicly erase the name of such member from the constitution of the society. Withdrawal.

§ 6. Said society shall have power and authority to levy and collect from its members, in the manner pointed out in its constitution and by-laws, all such assessments as it may deem necessary and proper in order to accomplish the purpose of its organization: *Provided, however,* that the aggregate amount of assessments levied upon any member shall never exceed the sum of fifty dollars, and that each assessment shall be equal against every member. Power to levy and collect assessments.

§ 7. The said corporation shall have power to establish or make and to change and alter a constitution and by-laws and regulations for its government, for the direction of its affairs, and for the management of its affairs, not inconsistent with the laws of this state or of the United States. To alter and amend rules and by-laws.

§ 8. Said society shall have power to make all needful rules and regulations and provisions in their constitution and by-laws for the organization of branch societies, and such branch societies shall be subject to all the provisions of this act, and to the rules, regulations and by-laws prescribed by the original society. Branch societies

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

APPROVED March 26, 1869.

In force March
26, 1869.

AN ACT to incorporate the Libertyville Mutual Insurance Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Samuel Galloway, Isaac Heath, James W. Lind, William Dymond, Edwin Wilson, John M. Price and William C. Farnham, and their associates, shall be and they are hereby created a body politic and corporate, by the name and style of "The Libertyville 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, of 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 out the provisions of this act.

Who entitled
to vote. § 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 and decide any matter voted on.

Appointment of
board of direc-
tors. § 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.

Election, time
and place of. § 4. 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 office for one year and until others are chosen, and vacancies may be filled at any meeting of the company.

Officers. § 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.

§ 6. The rates of insurance shall be fixed and regulated Insurance rates. 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.

§ 7. Members of this company shall be bound and obliged to pay their just proportion of all losses and expenses Compel payment of losses. 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.

§ 8. The board of directors may establish rules by which Applications for insurance. applications for insurance may be in writing, which shall state all material facts and circumstances affecting the risk, and such statement shall be binding on the insured, and be a warranty on his or her part.

§ 9. It shall be lawful for this company to reinsure any Re-insurance. risk or part of risk on which it has made insurance.

§ 10. For the purpose of preventing delay in the arrangement of losses and preventing vexatious litigations, Special regulations. this company may establish rules for securing fair and impartial arbitrations in such cases of loss or damage as the insured and directors cannot agree upon, and make the award of such arbitration final and binding.

§ 11. In suits at law between this company and any of Competent witnesses. 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.

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

APPROVED March 26, 1869.

In force March 29, 1869. AN ACT to incorporate the Mechanics' Insurance Company of Chicago.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Arthur Dixon, William B. Walker, Frederick Letz, Thomas Bickley, John L. Gerber, Owen McCarthy, Anton Berg, Thomas Lynch, Joshua C. Knickerbocker, 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 politic and corporate, under the name and style of "The Mechanics' 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 affairs: *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.

§ 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 five hundred thousand dollars, in the discretion of the board of directors. The stock shall be transferable on the books of said corporation.

§ 3. Books of subscription may be opened 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 be 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 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 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.

§ 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. *Second*, 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. *Third*, to cause themselves to be reinsured against any risk upon which they may have insurance, and to take such other risks or hazards as the corporation may, from time to time, determine.

§ 5. The first board of directors shall hold their offices 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 the 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 such 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 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.

First board of directors.

§ 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.

Judges of election.

§ 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 and agents as the corporation may determine.

Duties of the board.

§ 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 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.

Duties of the president.

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

Location of office.

- Dividends. § 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.
- Profits. § 11. By the consent, in writing, of the stockholders representing three-fourths of the capital stock, the insured may be allowed to participate in the net profits of the business of the corporation.
- Banking business prohibited. § 12. Nothing in this act shall authorize said corporation to engage in any banking business.
- Organization. § 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 act to take effect. § 14. This act shall be deemed a public act, and shall take effect and be in force from and after its passage.
- May borrow money. § 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 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. 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 construed so as to permit said company to do any banking business, or exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies.
- Act, when void.

APPROVED March 29, 1869.

In force March 9, 1869. AN ACT entitled "An act to incorporate the Mechanics' and Traders' Insurance Company."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That F. O. Sherman, Charles G. Wicker, D. B. Fisk, Nelson Tuttle, L. C. Hall, Elijah Smith, L. C. Ellsworth, and all other persons who shall hereafter become stockholders in the corporation hereby created, shall be a body politic and corporate, by the name of "The Mechanics' and Traders' Insurance Company," and, by such name, shall have succession,*

and continue in existence fifty years from the date of their organization as hereinafter provided; and as such 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 break and alter at pleasure; and may purchase, hold or convey any estate, real or personal, for the use of said company; and may make by-laws, not inconsistent with any existing law, for the regulation of its affairs; and, in addition to these general powers, shall have authority, by instrument under seal or otherwise—

Corporate powers.

First.—To make insurance on all descriptions of property against loss or damage by fire.

Property insured.

Second.—To make insurance on all description of boats and vessels, the cargoes and freights thereof, and on bottomry and respondentia interests, against the perils of marine or inland navigation.

Vessels, etc.

Third.—To cause themselves to be reinsured against any risk on which they may have insured.

Re-insurance.

§ 2. The capital stock of said corporation shall be two hundred thousand dollars (\$200,000), 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, at their discretion, appoint and order, except as hereinafter provided. The capital stock may, hereafter, be increased to any amount not exceeding one million 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.

Amount of capital stock.

§ 3. 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 five per cent. paid thereon, the said board of directors may declare the company organized, and proceed to call in such an installment of the stock as they may deem necessary, and for the balance of such subscription may take bonds and mortgages on unincumbered real estate, or judgment notes of responsible parties, in their discretion.

Open books for subscription.

§ 4. 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 January, next succeeding the organization of the company, and until their successors are elected; and on the first Monday of January, in each year, during the continuance of said corporation, an election of the directors thereof 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, 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

First board of directors.

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 till their successors are elected. A majority of the board shall constitute a quorum for the transaction of business.

When vacancies occur, how filled.

§ 5. 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 also 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 qualifications of voters. Notice of such election shall be given by publication in one or more daily newspapers published in Chicago, at least two weeks previous thereto, over the signature of an officer of the company.

Election of officers.

§ 6. The directors, when chosen, shall meet as soon as may be after every election, and shall choose out of their number a president and a vice-president, who shall hold their offices until the election of directors. They shall also have the power to appoint a secretary and all subordinate officers of said corporation, to fix their compensation, define their powers and prescribe their duties.

Policies to be signed by the president.

§ 7. All policies of insurance made by said corporation 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 corporation; and all losses arising under any policy, so subscribed, may be adjusted and settled by the president and secretary, under such regulations and orders as the board of directors may, from time to time, prescribe.

Banking business prohibited.

§ 8. Nothing in this act contained shall authorize said corporation to receive deposits, loan money, or to do any other banking business, and shall be subject to any general insurance law of this state.

Location of office.

§ 9. The office of said company shall be located and kept in the city of Chicago, but the officers of the said company may appoint such agents in other places as they may deem necessary.

Dividends.

§ 10. The board of directors may, from time to time, in their discretion, estimate the profits that have accrued in their business, and declare such a dividend thereof, to the stockholders of said company, as they may deem desirable.

§ 11. This act is hereby declared to be a public act, and shall take effect from and after its passage.

APPROVED March 9, 1869.

AN ACT to incorporate the Metropolis Fire Insurance Company.

In force March
29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That W. J. Ward, A. D. Davis, B. Baer, R. G. B. McKee, Wm. F. Kurtz, F. Moellenkamp, E. Green, E. Brauer, T. J. Parker, Michael Wilkins, J. N. Flannigan, H. Quante, E. O. Leek, G. W. R. Corliss, J. W. Carmichael, A. Bruner, J. C. Willis, A. Cutting, Ben. Kimball, D. H. Diers, John Austin, George W. Brown, 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 "Metropolis Fire Insurance Company," and shall have succession, a common seal, the power in law and 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 an insurance company.

Corporators.

Name and style.

Corporate powers.

§ 2. The capital stock of said company shall be twenty-five thousand (25,000) dollars, and may be increased by a resolution of the board of directors of said company to any amount not exceeding five hundred thousand (500,000) dollars, to be subscribed and paid for in manner hereinafter mentioned, and shall be divided into shares of fifty (50) 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.

§ 3. The said company shall have power to issue policies of insurance against loss and damage by fire, on houses, stores and all other buildings, and on personal property of all descriptions, and to do and perform all necessary acts and things connected with these objects, or any of them, upon the stock or mutual plan, and may secure subscription in part by mortgage or deed of trust on real estate worth one hundred per cent. more than the amount secured or by pledge of public stocks of the United States, or any of the states or counties therein, or incorporated companies, the market value of which shall be equal to the amount secured, to be pledged at such times and in such amounts as the directors may designate.

Issue of policies

§ 4. That said company shall have power to purchase and hold all such real and personal estate as may be convenient for the transaction of its business, and to take and hold any real estate as security for or in any payment of loans and debts due or to become due to said company, to purchase real estate at any sale made in virtue of any loan, debt, mortgage or deed of trust made to or held by such company, and to hold such real estate or to sell and convey

May hold and convey real estate.

the same, or any part thereof, to any other person or persons, at such price and under such conditions as the directors may think proper.

Election of
directors.

§ 5. The affairs of the said company shall be managed by a board of directors of seven 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 twenty-five thousand (25,000) dollars, of the capital stock shall be subscribed and five per cent. paid thereon. Any three of the corporators herein named shall be commissioners to open books for the subscription of stock, which shall be done within two years after the passage of this act. The money so received by the said 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 upon him by the by-laws of said company; any vacancy in the board may be filled by 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 proper prosecution of the business of the company, not inconsistent with this act or with the laws of this state or of the United States; 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.

Annual election
Term of office.

Election, time
and place of.

§ 6. The election of directors shall be by ballot and shall be held at the office of the company, and all the stockholders shall have at least ten days notice of the time of such election. Every ballot shall contain the name of the voter and the number of his votes, and a plurality of votes shall elect. Every stockholder shall be entitled to one vote for every share of capital stock standing in his name on the books of the company, and he may vote in person or by proxy. No stockholder shall be entitled to vote who is in arrears to the company with the payment of the capital stock called for and due at the time of the election.

Privileges.

§ 7. 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 in the city of Metropolis as the directors may designate.

Stock of delin-
quents to be
sold.

§ 8. The directors shall have power to call for the payment of the balance of the capital stock at such time and in such rates 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 best advantage, and the proceeds

of such sale, after deducting the expenses thereof, and the amount of such call accrued to the company to date, the residue shall be paid over to such nonpaying stockholder, who shall thereby cease to be a stockholder in the company, and the purchaser at such sales shall become stockholder 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.

§ 9. The board of directors shall have power to declare dividends on the stock of the company at any time after the accumulation of profits shall exceed five per cent. on the amounts of capital stock actually paid in, but in no case shall the amount of any dividend be paid over to any stockholder until he has paid twenty-five per cent. of his subscription to the capital stock of the company. Dividends to be declared.

§ 10. This corporation shall exist for the term of fifty years from the day of the passage of this act, and shall be entitled to use all its corporate powers for two years thereafter for the purpose of closing up its affairs. Duration of corporation.

§ 11. 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 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. Act, when void.

§ 12. This act shall be in force from and after its passage.
APPROVED March 29, 1869.

AN ACT to incorporate the Millers' and Manufacturers' Insurance Company of Springfield, Illinois. In force June 19, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That John Williams, Frank W. Tracy, Geo. T. Allen, E. I. Eno, Jno. M. Snyder, Speed Butler and A. W. Plattenburg, their associates, successors and assigns, are hereby constituted a body corporate and politic, by the name and title of "The Millers' and Manufacturers' Insurance Company;"* Corporators.
by which name they and their successors shall have perpetual succession, and are made capable in law of buying and possessing property of every kind and the same to sell or otherwise dispose of; of contracting and being contracted with, of suing and being sued, of defending and being defended against, in all courts and places whatsoever, in all Name and style.
Corporate powers, how vested.

manner of actions, and may have a common seal which they may change at pleasure.

Capital stock.

§ 2. The capital stock of the said Millers' and Manufacturers' Insurance Company shall be one hundred thousand dollars, which may be increased by a vote of the stockholders to five hundred thousand dollars, divided into shares of one hundred dollars each.

Payment of.

§ 3. The payment for stock subscribed shall be made in the following manner: At the time of subscribing five dollars shall be paid on each share, and five dollars in thirty days thereafter, and before the company shall be authorized to issue a policy of insurance a further sum of ten dollars shall be paid the directors on each and every share, and the balance due, satisfactorily secured, payable on demand. Any stockholder failing to meet his calls for thirty days after the same shall have been demanded, the directors shall have power to have his stock forfeited to the company.

Issue of policies

§ 4. The corporation hereby created shall have full power and authority to insure all kinds of property against loss or damage by fire, to make all kinds of insurance against loss on property of every kind in the course of transportation, whether happening on land or water; to make other insurance as they may deem proper or expedient; and to re-insure themselves against loss on any risk which they may have taken, and generally to do and perform all necessary matters and things connected with these objects or either of them.

Election for directors.

§ 5. The officers of said corporation shall be managed by thirteen directors, who after the first year shall be elected on the third Tuesday of January in every year, in the city of Springfield, as the board of directors may designate, first giving ten days' public notice of such elections. Should anything prevent its taking place as hereby provided, the corporation for that cause shall not be deemed dissolved, but the election may take place as shall be provided by the company's by-laws; and at every election of directors each share of stock shall entitle the holder to one vote.

Appointment of officers.

§ 6. The directors regularly chosen by the stockholders of this company shall, as soon as may be, after every annual election, choose, out of their body, one person to act as president, and one as vice president. The first named shall preside at all meetings of the directory. In case of his absence or death, the vice president will perform his duties; either of whom, with the secretary or actuary, shall sign the policies or contracts made by order of the board of directors, which shall be binding with or without the seal of the said corporation, and shall do and perform such other acts and things as may be prescribed in the company's by-laws. Any director ceasing to be a stockholder forfeits his power and privileges as a director, and all the officers

of the said corporation shall continue in office until their successor or successors shall be chosen and qualified.

§ 7. The corporation hereby created shall have power Surplus funds. and authority to invest its capital and surplus funds in any funded debt, created or to be created by or under any law of the United States government or of any of the states, in mortgages, real estate, promissory notes, bills of exchange, and on bottomry and respondentia, to sell, transfer, change, and reinvest the same as the directors may deem for the interest of the corporation, to be made available in the line of its ordinary business.

§ 8. The stock of said company shall be considered as Stock deemed personal property and transferable. personal property and shall be transferable according to such rules and under such restrictions as the board of directors may direct, who by their by-laws may also prescribe what number of directors shall form a board competent to transact the business of the company; prescribe what number of clerks or other officers may be necessary; prescribe their duties, titles and salaries, and such other things as they may deem proper; always subject to the general laws of this state.

§ 9. No dividend on the capital stock of said company shall be payable to the stockholders in cash, until the sum of fifty thousand dollars of said capital stock shall either have been paid in, in cash, or have accumulated partly from cash and partly from the profits of the business of said company, and until the capital stock of said company shall be one hundred thousand dollars, and paid in or accumulated as hereinbefore mentioned. No dividend, exceeding ten per cent. per annum, shall be paid to the stockholders of the capital stock of said company, but books for the subscription of new additional stock to such an amount shall be opened, and those who shall then be stockholders shall have credit on such new additional stock for any dividends to them accruing, exceeding said rate of ten per cent., until said amount of one hundred thousand dollars shall have been accumulated as aforesaid, after which the net profits of the business of said company may be divided at the discretion of its directors. Dividends, how and when declared.

§ 10. The said company shall have the power to es- Agents. tablish such agencies as may be deemed proper for carrying on its business within the state of Illinois.

APPROVED March 10, 1869.

In force March 30, 1869. AN ACT to incorporate the Moline Fire and Marine Insurance Company.

Corporators.	SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Henry W. Candee, John Deese, S. W. Wheelock, Luke E. Hemenway, John M. Gould, J. Silas Leas, Charles H. Deese, George D. Gould, H. A. Barnard, H. F. Sickles, J. S. Keater, John Good, Wm. Kerns, Daniel W. Dimack, James M. Buford, Alfred Webster and Jonathan Huntoon, corporators, and their associates and successors, are hereby created a body corporate and politic, under the name and
Name and style.	style of "The Moline Fire and Marine Insurance Company," located at Moline, Rock Island county, Illinois, with full powers to sue and be sued, contract and be con-
Corporate powers.	tracted with, plead and be impleaded, in all courts in this state, and elsewhere; 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 States, and do all other things necessary in law to defend their corporate rights.
Amount capital stock.	§ 2. The capital stock of said company shall be one hundred 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 such 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: <i>Provided</i> , 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.
Payments.	
Commissioners to procure stock	§ 3. The persons named in the first section of this act are hereby appointed commissioners for procuring said

capital stock of one hundred 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 county of Rock Island, of the time and place of the first election of 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.

Annual election
of directors.

§ 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.

Officers.

§ 6. This corporation shall have power to make contracts of insurance on dwelling houses, stores, and all kind of buildings, and upon household furniture and other property, personal and mixed, of all descriptions, and upon books of accounts, leases or rents, against loss or damage by fires 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

General powers.

Policies signed.

secretary, and shall bind and oblige said corporation according to the terms and tenor thereof.

May loan money

§ 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 stock or securities, at pleasure, to alien and convey.

Place of business.

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

May hold and convey real estate.

§ 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.

Additional subscriptions.

§ 10. All additional subscriptions to the capital stock, beyond the first one hundred 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.

When act to be void.

§ 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.

§ 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 March 30, 1869.

AN ACT to incorporate the North-Western Fire Arms Company.

In force March
29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John D. Easter, William C. Dodge, E. A. West, Daniel Fast, and L. L. Bond, and their associates, successors and assigns, be and they are hereby created a body corporate and politic, by the name and style of "The North-Western Fire Arms 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 constructing, purchasing, holding and using and selling such machinery, stock materials and other property, and of purchasing, holding and conveying such real estate, in the city of Chicago or elsewhere, as may be found necessary or desirable for the business and object of this corporation—whose general office shall be in the city of Chicago.

Corporators.

Name and style.

§ 2. The said corporation is authorized to manufacture, purchase and sell shot guns, pistols, rifle and other fire-arms, and materials for the manufacture of the same.

Manufactories.

§ 3. The capital stock of said company shall be fifty thousand dollars, and may be increased to any sum not exceeding five hundred thousand dollars, and shall be divided into shares of one hundred dollars each. Such shares shall be personal property, and transferable in such manner as the by-laws of said company shall prescribe.

Capital stock.

§ 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 five. 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 of one year and until their successors are elected.

Business managed by directors.

§ 5. The corporation named in the first section of this act shall constitute the first board of directors, and shall hold their offices until their successors are elected as herein provided.

Board of directors.

§ 6. The directors of said company (a majority of which [whom] shall constitute a quorum) 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 (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 vacancies that may happen, among the directors or officers, by death, resignation or otherwise.

General p w

§ 7. 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 March 30, 1869.

In force March 30, 1869. AN ACT to incorporate the Northwestern German Mutual Fire Insurance Company of North Chicago.

- SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John Merki, president, Fritz Karstens, vice-president, Louis Merki, secretary, Ed. Albert, cashier, Causper Hahn, Fritz Seiler and August Heidsmith, taxators, and all other persons who are now or may hereafter associate with them, in the manner hereafter prescribed, shall be a body corporate and politic, by the name and style of "The North-Western German 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 or personal estate as may be necessary to effect the object of this company, 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 the 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.
- 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 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.
- Management.** § 3. The affairs of said company shall be managed by a board of seven directors, of whom one shall be president and vice-president, one treasurer, one secretary, and three taxators, 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.
- Issue of policies** § 4. This company may make insurance on all descriptions of property against the loss of or damage by fire, and may cause themselves to be re-insured upon or any part of any risk in which they may have taken insurance.

§ 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 or 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 his policy from the company, to the president or secretary, or other persons authorized to receive the same, according to the by-laws of said company. Insurance rates.

§ 6. The directors of said company may levy an assessment upon the premium notes of policy holders, at any time they may deem it necessary, for the payment of losses and expenses that may arise. Assessment for payment losses.

§ 7. The members of this company shall be and are bound to pay their share, in proportion to their amount of insurance, for all losses and expenses happening and accruing during the time for which their policies were insured, to the amount of their premium notes. Stockholders' liability.

§ 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 notice of said assessment (which notice shall be given in the manner prescribed by the by-laws of this company), his, her or their policies shall be suspended from the benefit of said company until payment is 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 or places whatsoever. Non-payment, penalty for.

§ 9. All statements made on any application for insurance shall be binding upon the applicants and a warranty upon his, her or their parts. Application for insurance to be binding.

§ 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 shall hereafter be chosen under such regulations as the by-laws may declare. Officers.

§ 11. All meetings of the board of directors shall be called in the manner prescribed by the by-laws of said company, and all vacancies may be filled in such manner as prescribed in the by-laws of this company. Vacancies.

§ 12. The office of said company shall be in the city of Chicago, county of Cook, and state of Illinois. Location of office.

§ 13. The company may charge each member such admission fee as shall be prescribed in the by-laws of said company. Admission fee.

§ 14. If any member should intentionally set fire to his premises, and in case fire should happen thereon caused Policy void.

by great negligence of such member, the policy given by said company to such member shall be void.

Act, when void. § 15. 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 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 liberally construed for the purposes therein mentioned, and be in force from and after the passage of this act.

APPROVED March 30, 1869.

In force March 29, 1869. AN ACT to incorporate the Perry County Mutual Insurance Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Andrew J. Alden, George S. Smith, John Baird, Hilory H. Taylor, John H. Moberly, S. H. Almon, Zebidee P. Curlee, Samuel A. Beard, David Brown, J. J. Swanwick, Wm. K. Murphy, all of Perry county, state of Illinois, and all other persons who shall hereafter become members of the company or corporation hereby created, shall be a body politic and corporate, by the name and style of "The Perry County Insurance Company," for the purpose of insuring all and every kind of property against loss or damage by fire, with power to sue and be sued, plead and be impleaded, in all courts of competent jurisdiction in this state; may have and use a common seal, and alter or renew the same at pleasure; may purchase and hold such real estate or personal property as may be necessary for the use of said corporation in the transaction of its business, and may sell and convey the same at pleasure; may make, establish and put in execution such by-laws, ordinances and rules, not 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 do and execute all such acts and things as may be necessary to carry into effect the provisions of this act.

Management. § 2. The affairs of this company shall be managed by a board of directors, to consist of not more than twenty-one nor less than five members, to be chosen by ballot, from among the members of this company; and a majority of the whole board shall constitute a quorum for the transaction of business.

§ 3. The persons named in the first section of this act are hereby constituted a board of directors, to serve as such until the first annual election of directors and until others are chosen; which annual election shall be held in the city of DuQuoin, at the office of the company, on the 1st Tuesday [of] May each year, at such hour of the day as the directors shall from time to time appoint—notice of which shall be given in some public newspaper printed in said city of DuQuoin at least twenty-one days immediately preceding such election; and such election shall be holden under the inspection of three members, to be appointed by the directors previous to every such election; and such election shall be made by a plurality of votes of the members present or their proxies, allowing each member one vote for each policy by him, her or them held and in force in this company; and the board of directors are hereby authorized, at any of their meetings, to provide a form for the appointment of proxies and to specify the evidence that may be required in the execution thereof. The board of directors shall hold their offices for one year and until others are chosen; and any vacancies occurring in the board may be filled at any of their meetings.

Annual election
for directors.

Term of office.

§ 4. The board of directors shall elect a president, vice-president, secretary and treasurer, who shall hold their respective offices for one year and until others are chosen. The board of directors may also appoint an executive committee from among their own members, and such committee, when the board is not in session, may exercise all the powers vested in this company, except where the company has, by its by-laws, otherwise provided. The board of directors may appoint examiners, agents and such subordinate officers as they may deem necessary, who shall hold their offices during the pleasure of the board.

Officers.

§ 5. If it shall at any time happen that the election of directors shall not be held or made on a day when pursuant to this act it ought to have been held or made, this corporation shall not for that cause be deemed to be dissolved, but it shall be lawful on any other day to hold and make an election of directors—notice of which shall have been given as herein prescribed.

Failure to elect
not to dissolve
corporation.

§ 6. The rates of insurance shall be fixed and regulated by the board of directors, and premium notes may be received from the insured, which shall be paid at such time or times and in such sum or sums as the directors shall from time to time require, for losses and expenses. The directors may, also, fix the amount that each party shall pay at the time of insuring; and any party applying for insurance, so electing, may pay a definite sum of money in full for said insurance and in lieu of a premium note.

Insurance rates.

§ 7. The cash premiums received by this company shall be applied in payment of losses and expenses before

any assessment shall be made on the premium notes, and the cash premiums, together with the premium notes, shall constitute the capital stock of this company.

Deficiencies.

§ 8. If it should ever so happen that the whole stock and contributions of this company be insufficient to pay and satisfy all losses and expenses, in such case a just average shall be made, and the payment to be demanded by virtue of any policy shall be a dividend of such stock and contributions, in proportion to the amount of losses and expenses. Should there be an excess of funds, the directors shall have power to declare a dividend.

Lien on property insured.

§ 9. The members of this company shall be and hereby are bound and obliged to pay their portion of all losses and expenses happening and occurring during the time for which their policies were issued, to the amount of their premium notes and cash premiums, and no more; and the said company shall have a lien on all property insured, including the right, title and interest of the insured to the lands, as against the insured, on which insured buildings are situated, for the payment of said premium notes.

All statements binding on the insured.

§ 10. Applications for insurance shall state all the material facts and circumstances affecting the risk, and the statements made in the application shall be binding upon the insured and a warranty on his, her or their part.

May insure a part of risk.

§ 11. It shall be lawful for this company to insure any risk or any part of any risk on which they have made insurance.

Place of business.

§ 12. The operations and business of this company shall be carried on and conducted in the city of DuQuoin, Perry county, Illinois, and at any other place by agency; but no policy shall be issued by said company until applications are received for at least forty thousand dollars.

Certificate of secretary prima facie evidence.

§ 13. Whenever any assessment is made on any premium note given to this company for any risk taken by this company or as consideration for any policy issued or to be issued by this company and an action is brought for the recovery of such assessment, the certificate of the secretary of said company, under the seal thereof, specifying such assessment and the amount due said company on such note or notes, shall be taken and received as *prima facie* evidence thereof, in all courts and places whatsoever.

Non-payment.

§ 14. In case any member of this company shall neglect or refuse to pay his, her or their assessment, as levied by the directors, for the space of thirty days after notice thereof, his, her or their policy shall become void and of no effect.

Suits against members.

§ 15. Suits at law may be maintained by this company against any of its members, and suits may also be maintained by any member against this company, and in any suit against this company any member shall be admitted as a competent witness for and in behalf of this company.

§ 16. It shall be lawful for the secretary of this company to appoint a deputy, whose authority shall be specified in this appointment and approved by the board of directors. Appointment of deputy secretary.

§ 17. The board of directors may invest and employ the funds of this company in such way and manner as they may judge that the interests and welfare of this company require, but nothing contained in this act shall be construed as to authorize said company to perform any banking privilege or to issue any certificate of deposit to circulate as money or currency. Surplus funds.

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

APPROVED March 29, 1869.

AN ACT to incorporate the Pike County Insurance Company.

In force March 26, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That C. L. Higbee, Wm. A. Grimshaw, James McWilliams, Charles Kenny, B. L. Matthews, J. K. Cleveland, John McTucker, George Wike, L. H. Davis, J. D. Rupert, S. S. Thomas, John O. Bolin, J. M. Bush, R. M. Atkinson and Scott Wike, and their associates, successors and assigns, be and they are hereby created a body corporate and politic, under the name and style of "The Pike County Insurance Company;" and, by that name, shall have and enjoy all the rights, privileges and immunities which are necessary to accomplish the purpose of this act, and be recognized in all courts of justice and equity in this state, for the term of fifty years, from the passage of this act: *Provided*, that if the corporation created by this act shall not organize within two years from the passage thereof then this shall become null and void.* Corporators.

§ 2. The capital stock of said corporation shall be one hundred thousand dollars, and shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and shall be assignable and transferable only on the books of the company, under such regulations as the directors may establish. Name and style.
Corporate powers.
Duration of corporation.
Amount capital stock.

§ 3. When the said parties and their associates shall have subscribed the sum of one hundred thousand dollars and shall have paid in five dollars on each share, as a company fund, and organized, by choosing three or more directors, and these directors shall have chosen one of their number president and appointed a secretary and a treasurer, and filed a certificate of the same, under the seal of the Directors.

company, signed by the secretary and president, in the office of the clerk of the county court of Pike county, Illinois, it shall be deemed fully organized, and enjoy all the powers herein conferred.

By-laws, rules and regulations. § 4. Said corporation shall have power to make and put in operation all such by-laws and regulations as they deem proper for the well ordering of its affairs: *Provided*, they be not repugnant to the constitution and laws of this state or of the United States.

General powers. § 5. Said corporation shall have full power and authority to take risks and make insurance on vessels and all property laden on board thereof, upon houses and other buildings and the furniture and goods therein, and upon all other legal subjects of insurance, and to do all other acts and things necessary and incident to the transaction of a marine and fire insurance business, either upon the mutual or stock plan, or both, and to loan their surplus or unemployed capital or money on real, personal or other securities, at such rates of interest as may be done under the existing laws of the state, or invest the same in stocks. They shall, also, have power to issue policies of insurance, insuring against loss by thief or thieves, of horses, cattle, mules and live stock generally, which policies may be upon the mutual or stock plan, and upon such terms and conditions as the board of directors may from time to time determine.

Re-insurance. § 6. The said corporation may, also, cause themselves to be insured or reinsured against all or any risk upon which they may have been insured, and also upon all property, of every kind, or any interest therein, owned or held by them as security or otherwise; and they shall have the further right to act as agents or brokers in placing insurance for their customers, and may guarantee the solvency of the companies in which such risks are placed by them, upon such terms and conditions as the board of directors may hereafter prescribe.

Stockholders' liability. § 7. The real and personal property of each individual stockholder shall be held liable for any and all losses and liabilities of the company to the amount of the stock subscribed or held by him and not actually paid in. In all cases of loss exceeding the means of the corporation, each stockholder shall be liable to the amount of unpaid stock held by him.

Place of business. § 8. The business of the company shall be carried on in the town of Pittsfield, Pike county, Illinois, and elsewhere by agencies, as the directors shall direct.

Management. **Board of directors.** § 9. The stock and affairs of said corporation shall be managed by three or more directors, who shall be stockholders of said corporation. They shall, after the first year, be elected annually, and shall hold their offices until others shall be chosen to supply their places. Ten days' public notice shall be given of such election to each stockholder,

by public advertisement or personal notice, and shall be made by ballot, by the majority of stock, allowing one vote for every share, either by person or proxy; and in case of the death or resignation of the president or any director, the vacancy may be filled by the board of directors or by election of the stockholders, due notice being given.

§ 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 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. Act, when void.

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

APPROVED March 26, 1869.

AN ACT to incorporate the Randolph Insurance Company.

In force March
26, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Deidrich Heitmann, Charles Tegtmeier, Henry Meyer, C. Welger, R. Fricke, August Beggermann, John Wilson and John Harris, and all other persons who may hereafter associate with them, in the manner herein prescribed, shall be and are hereby constituted a body corporate and politic, by the name and style of "The Randolph Mutual Insurance Company," located in the southern part of said county, in the state of Illinois; and, by that name, may sue and be sued, appear, prosecute and defend, in any court of record or other court or place whatsoever; and may have and use a common seal, and alter, break and renew the same at pleasure; may purchase and hold such personal and real estate as may be necessary to effect the objects of their association, and may sell and convey the same at pleasure: *Provided*, that such real estate shall not exceed in value, at any one time, the sum of thirty thousand dollars, except such as may be taken for debts due the company or as a part of the guaranty capital; and they 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 do and execute all such acts and things as may seem necessary to carry into effect the provisions of this act. Corporators.

§ 2. The affairs of said company shall be managed by a board of directors, to consist of not less than five nor more Name and style.
Corporate powers.
Management.

than eleven members or stockholders, as may be regulated by the by-laws of said company; and said directors shall be chosen, by ballot, from among the members or stockholders of this company; and a majority of the whole board shall constitute a quorum for the transaction of business, until said board shall consist of more than five directors, when the president and two directors shall constitute a quorum.

First board of directors.

§ 3. The persons named in the first section of this act are hereby constituted a board of directors, to serve as such until the first annual election shall be holden and others are chosen, which annual election shall be held on the first Monday of May, in each year, after the passage of this act. Such election shall be held at the office of the company, at such hour of the day as the directors herein named for the time being appoint, notice of which shall be given, by public notice, for three weeks, in the precinct where said company is located, at least twenty days immediately preceding such election, under the inspection of three members, (they being stockholders), to be appointed previous to every election by the president of said company; and such election shall be made by a plurality of the votes of the members and stockholders present, allowing each member one vote for each share by him, her or them held and in force in this company, and each stockholder one vote for each share of stock. And the board of directors are hereby authorized, at any of their meetings, to provide a form for the appointment of proxies, and to specify the evidence that shall be required in the execution thereof. The board of directors shall hold their office for one year and until others are chosen, as aforesaid; and vacancies occurring in the board may be filled at any of their meetings.

Notice of election.

Term of office

Appointment of officers.

§ 4. The board of directors shall elect a president, vice president, secretary, and treasurer, who shall hold their respective offices for one year and until others are chosen. The board of directors may also appoint an executive committee, from among their members; and such committee, when the board is not in session, may exercise all the powers vested in the company, except where the company has, by its by-laws, otherwise provided. The board of directors may appoint examiners, agents and such other subordinates officers as they may deem necessary, who shall hold their office during the pleasure of the board aforesaid.

Failure to elect not to change charter.

§ 5. If it shall happen at any time that [an] election of directors shall not be held or made on a day when, pursuant to this act, it ought to have been held or made, this corporation shall not for that cause be deemed to be dissolved, but it shall be lawful, on any other day, to hold and make an election of directors—notice of which shall be given as heretofore prescribed.

Insurance rates.

§ 6. The rates of insurance shall be fixed and regulated by the board of directors, and premium notes may be re-

ceived from the insured, which shall be paid at such time or times and in such sum or sums as the directors shall, from time to time, require for the payment of the debt of the company. The directors may, also, fix the amount that each party shall pay at the time of insuring; and any party applying for insurance, so electing, may pay a definite sum of money in full for said insurance and in lieu of a premium note.

§ 7. If it shall so happen that the whole stock and contributions of this company be insufficient to pay and satisfy all losses and expenses, in such case a just average shall be made, and the payment to be demanded by virtue of any policy shall be a dividend of such stock and contributions, in proportion to the amount of losses and expenses.

When deposit notes insufficient to pay the losses.

§ 8. The directors of this company may divide the whole or any part of the profits arising from the business of the company with the parties insured, on such terms and conditions as they may judge that the interest and welfare of the company require.

Profits divided.

§ 9. The members of this company shall be and they are hereby bound and obliged to pay their *pro rata* and proportion of all losses and expenses happening and accruing during the time for which they are insured, to the amount of their premium notes and cash premiums, and no more; and the said company shall have a lien on all buildings insured, as against the insured, including right, title and interest of the insured to the lands on which said buildings are situated and belong thereto, for the payment of said premium notes.

Losses.

Payment of proportion.

§ 10. Applications for insurance shall state all the material facts and circumstances affecting the risk; and the statements made in the application shall be binding on the insured and a warranty on his, her or their part.

Statements in application to be binding.

§ 11. It shall be lawful for this company to reinsure any risk or any part of any risk on which they may have made insurance.

May receive part of risk.

§ 12. The home office of this company shall be located at the school house, in district No. (4), township six (6), range six (6) west, known as school house No. 4, in the county of Randolph, state of Illinois, near the town of Randolph in Randolph county, state of Illinois; but no policy shall be issued by said company until applications have been received for at least fifty thousand dollars.

Place of doing business.

§ 13. When an action is brought for the recovery of any assessment on any premium note or notes or for any note for premium given to this company, the certificate of the president and secretary, under seal of the company, stating the amount due the company on such note or notes, shall be taken and received as *prima facie* evidence thereof in all courts and places whatsoever.

Certificate prima facie evidence.

Policy void.

§ 14. In case any member of this company shall neglect or refuse to pay his, her or their assessments, as levied by the directors, for the space of thirty days after notice thereof, his, her or their policy shall become void and of no effect in law.

Suits instituted.

§ 15. Suits at law may be maintained by this company against any of its members, and suits may also be maintained by any member against this company; and in any suit between this company and any of its members, any member shall be admitted as a competent witness for and in behalf of said company and also against the same.

Secretary may appoint deputy.

§ 16. It shall be lawful for the secretary of this company to appoint a deputy, which appointment shall be approved by the board of directors.

General powers.

§ 17. The said company may insure against loss or damage by fire of any buildings or other property, viz: houses, barns, stables, mills, and all personal property of whatsoever kind or nature, wheat, oats, corn, household and kitchen furniture. Said company may, also, insure against loss or damage by lightning, wind, rain, flood, tornado, or any other risk that they may deem proper, and charge and receive such premium therefor as may be agreed by and between the parties.

Guaranty capital subscription

§ 18. For the better securing of the policy holders, the said company may receive a guaranty capital, to any amount not exceeding two hundred thousand dollars, which shall be divided into shares of one hundred dollars each, and shall be entitled to representation at elections of directors, in the rate of one vote for each share, and may be secured by mortgage on unincumbered real estate, bonds, checks, or other security, satisfactory to the board of directors. Said capital shall be liable for losses of the company, whenever the premiums theretofore paid or agreed to be paid are insufficient to pay the same; and the said company shall pay an interest on said capital, not to exceed seven per cent. per annum, to be in the discretion of the directors of said company; and assessments made on such capital shall be reimbursed from the funds of the company, before any division of the profits shall thereafter be made to the policy holders.

Invest funds.

§ 19. The board of directors may invest and employ the funds of the company in such way and manner as they may judge to the best interest of the company; but nothing contained in this act shall be so construed as to authorize said company to perform any banking privilege or to issue any certificate of deposit to circulate as money or currency.

When act to take effect.

§ 20. This act shall be deemed and taken as a public act, and be liberally construed, for the purpose therein contained, and take effect and be in force from and after its passage, and continue for fifty years.

APPROVED March 26, 1869.

AN ACT incorporate the San Jose Mutual Fire Insurance Company. In force June 19, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Nicholas Hubbard, William Smith, John Linbarger, James Segg, Charles D. Knapp, Josiah Robinson, Jonathan Carey, Isaiah Thomas, William M. Duffey, Moses C. Hicks, Thomas Little, Michael Adolph, Randolph Robbins, Isaac C. Brown, Isaac Read, and others, their associates and successors, are hereby constituted and declared to be a body corporate and politic, by the name of the "San Jose Mutual Fire Insurance Company," and, by that name, they and their successors shall and may have succession during the continuance of the same, and shall be capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all manners of actions, suits, complaints, matters and causes whatsoever; and they and their successors may have a common seal, and may alter and change the same at pleasure; and, also, they and their successors, by the name of the San Jose Mutual Fire Insurance Company, shall be in law capable of purchasing, holding and conveying any estate, real and personal, for the use of said corporation: *Provided*, the said estate which it shall be lawful for the said corporation to hold, be only such as is necessary for the corporation in the transaction of the business thereof, or such as shall be taken for security for the payment of debts, nor shall the yearly income of such real estate exceed three thousand dollars.

§ 2. That all persons who shall insure in or with said company shall be members of said corporation, and the property and concerns of said corporation shall be conducted and managed by a board of directors, to consist of not less than nine nor more than fifteen, as may be regulated by the by-laws of said company, (all of whom shall be citizens of this state, and shall not hold a like office or agency in any other insurance company), to be chosen by ballot by and from the members, and shall hold their office for one year and until others are chosen.

§ 3. That an election for directors shall be held on the first Monday of May of every year, at the office of the company, or such other place as a majority of the directors may previously designate. A public notice of the election shall be given by the secretary, in a newspaper printed in the county of Mason, at least two weeks previous to the time of holding the election; and if any of the directors shall die or refuse to serve, or neglect to act in their said office for the space of three months successively, then, and in every such case, the remaining directors shall have power to fill such vacancy or vacancies until the next election; and in case it should hap-

Corporators.

Name and style.

Corporate powers.

Management.

Board of directors.

Annual election.

Notice given by publication.

pen that an election for directors should not be held on the day when, pursuant to this act, it ought to have been held, the said corporation shall not for that cause be dissolved, but it may be lawful on any other day to hold such election: *Provided*, that the first election for directors shall be held on the first Monday in May next, and the directors when elected shall continue in office until others are elected.

Insurance powers.¹

§ 4. That it shall and may be lawful for the said corporation to insure their respective dwelling houses, stores, shops or other buildings, together with household furniture, merchandise and all other personal property, against loss or damage by fire.

General powers.

§ 5. That at the annual meeting of the corporation, or at any general meeting of the same, which general meeting may be called by any three directors, it shall be lawful for a majority of the members present to make and prescribe such by-laws, rules and regulations as to them shall appear needful and proper for the management and disposition of the property, estate and effects of the corporation, for the regulation of the mode of effecting insurance in said corporation and of valuation of property insured or to be insured thereby, and to fix rates of insurance and fees of officers, and for such other matters as appertain to the business of the said corporation, and shall have power to appoint a secretary, surveyor or surveyors, appraisers or appraisees, and such additional officers, agents or servants, as by them shall be deemed proper, to which office the directors shall be eligible: *Provided*, that a majority of the members present at such annual or general meeting may, by resolution, vest any or all of the powers given in this section in the board of directors: *And, provided*, that such by-laws, rules and regulations shall not be inconsistent with the constitution and laws of this state or of the United States.

Officers, etc.

§ 6. That at the first meeting of the directors, held after their election in each year, the directors shall choose from among themselves one person for president, who shall continue in office until the next annual meeting and until another shall be chosen in his place. They shall also elect a treasurer and require of him to give bond to the corporation for the faithful performance of his duties, for such sum as to them shall appear to be sufficient.

Issue of policies

§ 7. That all policies of insurance which shall be made by the corporation in pursuance of this act, shall be made on such terms and conditions and for such periods of time and confined to such places as shall be, from time to time, ordered and prescribed by the by-laws, rules and regulations of said corporation, and if at any time it shall happen that there shall be just claims on the corporation for losses sustained or other liabilities to a greater amount than they have funds to discharge, in such case the directors, for the time being, shall, with all convenient expedition, proceed to

assess such deficiency in a ratable proportion on the members of the corporation or their representatives, according to the amount of each member's insurance, which rates or assessments shall be approved by a majority of the whole number of directors, and notice, in writing, shall be given by the secretary to each member or his representative, of his assessment and the amount by him, her or them to be paid, and each and every member, or his representative so notified, shall pay the same to the treasurer, for the time being, within sixty days after such notification, and, in default thereof, shall forfeit double such rates and all their rights and claims to any policy that they may have obtained, and be no longer member of the corporation, but shall be liable to a recovery of the amount of such rate or assessments by action of debt, with costs of suit, in any court of competent jurisdiction: *Provided*, that the authorized assessment on the members of the corporation shall in no case exceed the amount of their deposit obligation notes or cash premiums, given by each member, and no more.

Assessment of damages when losses occur.

§ 8. That no money shall be drawn from the treasury of the corporation, except for the purpose of paying damages in case of loss by fire, and for other purposes, to be provided by the by-laws and regulations of said corporation.

Losses and expenses.

§ 9. That if any person insured by the said corporation shall convey or assign the property insured, it shall be lawful for such persons to assign to the purchaser the policy of insurance, but the corporation shall not be bound by such policy after such assignment until the assignment shall have been recorded in the books of the corporation and the same certified on such policy by the secretary.

Transfer policy.

§ 10. That any person or persons insured by said corporation may maintain an action at law against the same, for losses and damages due him, her or them, from said corporation, if payment is withheld for more than ninety days after the amount of such losses shall have been ascertained and the said corporation notified thereof. No member of the corporation shall be incompetent as a witness, provided the directors do not agree to rebuild or replace the property lost or damaged, in which case a reasonable time shall be allowed them.

Suits instituted.

§ 11. The operations and business of the company shall be carried on at such place in the town of San Jose, county of Mason, as the directors shall designate or the by-laws of the company provide.

Place of business.

§ 12. Nothing in this act shall be construed so as to permit said company to do banking business or to exempt said company from the operations of any general law that may hereafter be passed, on the subject of insurance and insurance companies.

Banking business prohibited.

APPROVED March 29, 1868.

In force June
19, 1869.

AN ACT to incorporate the Star Insurance Company.

Corporators.

Name and style
Corporate pow-
ers.

Location of
office.

Amount capital
stock.

Increase capi-
tal stock.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That William Thomas, Ralph Reynolds, Francis E. Dayton, Edward P. Kirby, Edward D. Dickerman, Oscar D. Fitzsimmons, Robert Hockenull, William C. Carter, Isaac L. Morrison, Marshall P. Ayres, Milton W. Riggs, with such persons as may hereafter be duly associated with them, their successors and assigns, forever be and they are hereby constituted a body politic and corporate, by the name of "The Star Insurance Company," and by that name shall be, and are hereby empowered to purchase, receive, hold, possess and enjoy, to themselves and their successors, lands, tenements and hereditaments, goods, chattels, choses in action, real and personal estate of every description; and also to sell, convey, grant, alien and dispose of the same; to sue and be sued, plead and be impleaded in all courts of justice; to adopt and use a common seal, and the same to change at pleasure; and to enact and execute such by-laws and regulations as they may deem proper, for the control and well ordering of said company: *Provided*, that such by-laws and regulations be not repugnant to the constitution and laws of this state or of the United States.*

§ 2. Said company shall be located in the city of Jacksonville, in the county of Morgan, and state of Illinois, and a majority of the board of directors of said company shall be residents of Morgan county, Illinois.

§ 3. The capital stock of said company shall not be less than one hundred thousand dollars, and may be at any time hereafter increased, at the pleasure of said company, to any sum not exceeding five million dollars, and shall be divided into shares of one hundred dollars each; and each subscriber to said capital stock shall pay into the treasury of said corporation, at the time of subscribing, an installment of ten dollars on each share of stock by him subscribed, and shall, within sixty days after the time of subscribing, pay in the remaining ninety dollars on each share so subscribed by him; and this company shall not transact business until the whole amount of its capital stock of one hundred thousand dollars shall be subscribed and paid in, and is possessed by it in money.

§ 4. The capital stock of this company may be increased, from time to time, by the addition of new shares of one hundred dollars each, duly subscribed for and paid in, as above recited: *Provided*, that such increase shall have first been authorized by the votes of two-thirds of all the directors of the company. In case of any increase of the capital stock, the stockholders for the time being shall be allowed to take the same, in the proportions of their stock, respect-

ively : *Provided*, they subscribe and pay for the same within the time and according to the conditions hereinbefore prescribed. The directors shall cause notice of such increase and of the time, place and conditions of taking such stock, to be given in some newspaper published in the city of Jacksonville—such notice to be published once a week during six successive weeks.

§ 5. All the affairs of said company shall be managed and controlled by a board of not less than five directors, who shall be chosen by ballot, solely from among and by the stockholders, which choice shall be made by a majority of the votes present, either in person or by proxy ; and said directors shall hold office for one year, or until others are chosen in their stead ; and the annual meetings for the choice of said directors shall, after the first election, be holden in the city of Jacksonville, on the last Thursday of January in each year, at such place as the board of directors for the time being shall appoint.

§ 6. No person shall be eligible to the office of director unless he be a holder of ten or more shares of the capital stock of the company. If any director shall cease to be a stockholder, his office shall thereupon be vacant.

§ 7. The directors shall determine how many of their number shall constitute a quorum for the transaction of business, and may, by a majority vote, fill any vacancy which may occur in their board between the annual meetings of the stockholders, by choosing a director or directors from among the stockholders, who shall continue in office until a successor or successors shall be chosen ; and the directors shall elect one of their number, who shall be their president and president of said company, who shall receive such salary or compensation as a majority of said directors shall determine. The directors may also elect, from their number, a vice-president, who shall possess such of the powers and perform such of duties of the president as the board of directors may, by their by-laws or resolutions, from time to time direct. And the said directors shall have power to establish such agencies, in this state and elsewhere, and appoint such secretaries, agents, clerks, and other officers, as they shall deem necessary and convenient ; and, also, to perform such other acts and exercise such other powers as they shall deem expedient for the well ordering of the affairs of said company ; and no director, except the president and vice-president, shall be entitled to any salary, unless by vote of the stockholders in general meetings.

§ 8. The president shall have power, at any time, to call a special meeting of the stockholders ; and it shall be his duty to call a special meeting of said stockholders, when thereto requested by the holders of one-quarter of the stock ; and public notice shall be given, at least two weeks previous

to any meeting of the stockholders, whether annual or special, by advertising in a newspaper published in the city of Jacksonville; and all questions, at any meeting of the stockholders, shall be determined by a majority of votes, allowing one vote to each share: *Provided*, no stockholder shall, by virtue of any share he may be the owner of, in any case be entitled to exercise such right, unless he shall have held said shares in his own name at least thirty days prior to the time of voting; and said stockholders shall be entitled to vote in person, or by proxy duly appointed.

General powers.

§ 9. Said corporation may make insurance against the loss by fire and lightning on all kinds of real, mixed and personal property, of every description; and are, also, authorized to insure on vessels of all descriptions and on all kinds of goods and merchandize against marine disasters and all hazards of inland navigation; and said corporation shall be liable to make good and to pay to the several persons who may or shall be insured by the said corporation for all losses they may sustain in the subject matter insured, in accordance with the terms of the contract of insurance and of the form of the policies issued by said company, which said policies and all other contracts of said company, may be made with or without the common seal of said company, and shall be signed by the president or vice-president and countersigned by the secretary and by such other agent or agents as may be required by the by-laws of the board of directors; and, being so signed and executed, shall be obligatory on said company; and said company shall have power to make re-insurance of any risks taken by them. In case of an intentional violation of this charter, or of fraud, the person guilty thereof shall be personally liable to said corporation or to the assured, as the case may be.

Stock forfeited.

§ 10. Every subscriber to the capital stock of said company, who shall neglect to pay the residue of each share by him subscribed, shall forfeit to the said company his share or shares and all payments made thereon and all profits that may have accrued thereon.

Books for registry of shares.

§ 11. The board of directors shall cause suitable books to be kept for the registry and transfer of the shares of this company; and every transfer, to be valid, shall be made on such books and signed by the stockholder or his attorney duly authorized, in writing.

Certificate of capital stock.

§ 12. The stockholders of this company shall be entitled to certificates of their respective shares of the capital stock, which shall be transferable as provided in such certificates; and the board of directors may close the transfer books, from time to time, as the convenience of the company may require.

Organization.

§ 13. The persons named in the first section of this act, or a majority of them, are authorized to call a meeting of the persons hereby incorporated, to be holden in the city of

Jacksonville, at such time as they shall appoint; which meeting may be organized by a chairman and such committees as shall be deemed proper; and said meeting may be adjourned from time to time, until said corporation shall be organized agreeably to the charter. The stock shall be taken up to the amount of one hundred thousand dollars, before said directors shall be chosen and before said corporation shall make any insurance; and as soon as the amount aforesaid shall have been paid, agreeably to the provisions aforesaid, and the whole done to the satisfaction of the directors, the company may commence business.

§ 14. The capital stock of said company shall be invested in bonds and mortgages on unincumbered improved real estate within the state of Illinois, worth double the sum loaned thereon, exclusive of buildings, unless such buildings are insured and the policy transferred or made payable to said company, and also in the stocks of this state or stocks or treasury notes of the United States; but any surplus money of said company, over and above the capital stock, may be invested in or loaned upon the pledge of bonds and mortgages, public stock or bonds of the United States, or any one of the states, or the stock, bonds or other evidences of indebtedness of any solvent dividend paying institutions incorporated under the laws of this state or of the United States, except its own stock: *Provided, always*, that the current market value of such stocks, bonds or other evidences of indebtedness shall be, at all times, during the continuance of such laws, at least twenty-five per cent. more than the sum loaned thereon.

Investment of capital stock.

§ 15. The board of directors, out of the funds of this company, shall defray all its expenses and pay its debts, and twice in each year, in the months of January and July, may declare and pay such dividends as they shall deem expedient, out of the net profits of its business, to the stockholders or their authorized attorneys, of which dividends notice shall be published, within ten days after declaring the same, in a newspaper published in the city of Jacksonville; but in no case shall a dividend be declared or paid to said stockholders exceeding in amount five per cent., semi-annually; and no dividend shall ever be made by this company when its capital stock shall be impaired or when the making of such dividend would have the effect of impairing its capital stock: *Provided*, that, whenever the accumulated surplus shall amount to not less than twenty-five thousand dollars over and above the capital stock and all outstanding liabilities, including one-half the amount of all premiums on risks not terminated, then said board of directors may, by a two-thirds vote, pass such amount of net surplus to the capital stock of said company and issue certificates of stock therefor to the stockholders for the time being, in the same proportion as their stock, respectively.

Indebtedness.

Fiscal year. § 16. The fiscal year of this company shall commence on the first day of January, in each year, and terminate on the last day of December, in each year.

Failure to elect not to change act. § 17. If it should happen, for any cause whatsoever, that the election of the directors should not take place in any year, during the time herein for that purpose mentioned, said corporation shall not for that reason be dissolved, but such election may thereafter be held on such convenient day as may, for that purpose, be fixed on by the directors—they causing such public notice thereof to be given, as is hereinbefore required, for an election at the time heretofore designated for that purpose.

Agents. Privileges. § 18. All agents of said company in this state shall be entitled to the free transaction of all business of said company, subject only to such powers, limitations and restrictions, as they may, from time to time, receive from the proper officers of said company.

Embezzlement. § 19. If any agent of said company shall not pay over all moneys collected by him, on account of said company, within thirty days after demand for the same by the proper officer or agent of the company, such agent shall be deemed guilty of embezzlement, and shall be liable to all the penalties for embezzlement provided by the statutes of this state.

False-swearing. § 20. All false swearing in making proofs of loss to said company, is hereby declared perjury, and shall cause a forfeiture of all claims on said company, and subject the party so swearing to all the pains and penalties provided by the statutes of this state in case of perjury.

APPROVED March 31, 1869.

In force March 27, 1869. AN ACT entitled "An act to incorporate the St. Clair Insurance Company."

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Edward Abend, Henry Abend, William C. Buchanan, Peter Welding, W. Henry Stuart, Enoch W. Primm, Nathan T. Baker, John H. Seifert, Frederick H. Pieper, Joseph Hauses, Jacob Brosins, Jacob Maurer, and Jacob Rentchler, 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 the name and style "The St. Clair Insurance Company," and, 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.*

Name and style

§ 2. The capital stock of said corporation shall be 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, to be paid in such installments as the board of directors of said corporation may, from time to time, appoint and order; and said stock shall be personal property and be assignable and transferable on the books of said corporation, and not otherwise.

Amount capital stock.

§ 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 subscribers shall have chosen thirteen 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.

Open books for subscription.

§ 4. The said company shall have power, by instrument under seal or otherwise, to make and effect insurance upon all descriptions of property, against loss or damage by fire or lightning; to make insurance upon all descriptions of boats, vessels, the cargoes and freights thereof, and upon bottomry and respondentia interests against the perils of marine and inland navigation; to cause themselves to be reinsured against any risk upon which they may have any insurance.

May insure.

§ 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, 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 thirteen, 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.

First board of directors.

§ 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 newspapers published in Belleville, at least two weeks previous thereto, over the signature of an officer of the company.

Vacancies, how filled.

Officers chosen. § 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 [meeting] 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.

Policies signed. § 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, or other officer of the company designated by the board of directors, under such regulations as may be prescribed by them from time to time.

Office, location. § 9. The office of the company shall be located in the city of Belleville, county of St. Clair, state of Illinois: *Provided, however*, a majority of the incorporators or 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.

May loan money § 10. The company shall have power to use, invest and loan its capital and other funds in or upon stocks, bottomry or respondentia, in or on bonds, notes or mortgages, and on personal securities, at such rates as private persons may legally do by the laws of this state.

Stockholders held responsible for debts. § 11. Each shareholder in this corporation shall be individually liable for the debts and contracts of said company to the extent of his unpaid stock.

Sale of delinquent stock. § 12. 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 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' 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 or subscriber. The purchaser of such stock shall be liable (unless the company shall be the purchaser thereof) for so much of the 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 or recovering of the stockholders or subscribers the amount of calls upon their stock, by action of debt or assumpsit.

May hold and convey real estate. § 13. 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 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 such indebtedness.

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

APPROVED March 27, 1869.

AN ACT to incorporate the Sterling City Insurance Company.

In force March
29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That James G. Page, Joel Harvey, Stephen Weaver, Isaac N. Bressler, Henry G. Harper, Samuel Johnson, John Hecker, and Henry Korn, and their associates, successors and assigns, be and they are hereby created a body corporate and politic, by the name and style of "The Sterling City Insurance Company;" and this company shall have full power and authority to take risks and make insurance against accidents of all kinds, with any person or persons; also, upon the lives or upon the life of any person for the benefit of any other person having any pecuniary interest in the insured person's life, as creditors, guarantee, surety, or interested by any marital or other relation; may grant, sell or make any contract for annuities or endowments, and do all other acts and things necessary and incidental to the transaction of a life insurance and annuity business; may issue policies for such length of time, and upon such terms and conditions, as may be agreed upon by the directors. They may also cause themselves to be reinsured, against loss upon any or all risks taken.

Corporators.
Name and style.

§ 2. The said company shall also have power to make insurance and take risks on all kinds of property, and may take any kind of risk that they may deem proper, and charge and receive such premiums therefor, as may be agreed by and between the parties, either upon the mutual or stock principle, or both, and may use, invest or loan its capital or surplus funds in such way and manner as the directors may judge the interest and welfare of the company requires, at such rates as private persons may legally do, by the laws of this state, and may divide the business or risks in two or more classes, upon such conditions as may be regulated by the by-laws.

May insure.
May loan money

§ 3. The said company may establish agencies, either in or out of this state, and do all acts not inconsistent with the constitution and laws of this state or of the United States,

Agencies.

as may seem necessary and convenient to carry out the full objects of this act, and may make such by-laws, ordinances and resolutions as may seem necessary and convenient for their regulation and government and for the management of their affairs.

Corporate powers.

§ 4. Said company may sue and be sued, appear, prosecute and defend, in any court of record or other court or place whatsoever, and shall be recognized as a corporation in all courts.

Act, when void.

§ 5. This act shall be void unless the directors organize the company at Sterling City, in the county of Whiteside, within one year from the passage of this act.

Banking business prohibited.

This act shall not authorize said company to do banking business, nor shall it 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.

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

APPROVED March 29, 1869.

In force March 29, 1869.

AN ACT to incorporate the Svea Mutual Protective Insurance Company of Knox, Henry and Mercer counties.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Eric Johnson, J. W. Williams, Gustaf Johnson, Charles Sandin, Lewis Headstream, Morton Johnson, Matts Headleend, S. M. Johnson, John Headbloom, W. Williams, and all others who now are or may hereafter associate with them, in the manner hereafter prescribed, shall be a body corporate

Name and style.

and politic, by the name and style of "The Svea Mutual Protective Insurance Company of Knox, Henry and Mercer Counties;" and by that name, may be sued, appear, prosecute and defend, in any court of record or other court or place whatsoever, and may have and use a common seal and alter and renew the same at pleasure, and may 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 to do and execute all such acts and things as may be necessary to carry into effect the purposes intended in this act.

General powers

Membership.

§ 2. All persons holding policies of insurance 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, regulations and resolutions of this company, and shall be entitled to vote upon the election of all its officers and upon the adoption, amendment and rejection of all by-laws, regulations and resolutions of this company.

§ 3. The affairs of this company shall be managed by a board of directors, consisting of the president, vice-president, treasurer, secretary, and such number of appraisers as shall be regulated by the by-laws of this company; and a majority of the whole board shall constitute a quorum for the transaction of business. Management.
Board of directors.

§ 4. All the officers of this company shall be chosen by ballot, from the members of the company, and by its members at their annual meeting, and shall hold their respective offices for one year and until their successors are chosen. Term of office.

§ 5. The location of the home office and the time and place of holding the regular meetings shall be directed, from time to time, by a majority vote of the members present at the regular meeting of the company; but such location of office and place of holding meetings must be within the limits of Knox, Henry and Mercer counties. Home office.

§ 6. The company may establish rules and such forms of applications, which shall state all material facts and circumstances affecting the risk and specifications and value of the property to be insured; and the applicant or applicants shall give his, her or their obligation to pay his her or their *pro rata* share to the company of all losses by fire and lightning incurred by the company; and such statement, specification and obligation shall be binding in law upon the insured and be a warranty on his, her or their part. By-laws for its Government.

§ 7. The company may issue policies, signed by their president and secretary, agreeing, in the name of the company, to pay all damages and losses which may be sustained by the party or parties holding said policy upon the property insured, from fire and lightning, which policy shall be binding in law upon this company, and which shall in no case exceed the sum of five thousand dollars (\$5,000) on any one risk nor shall any risk be taken on property situated outside of the limits of Knox, Henry or Mercer counties. Policies signed.

§ 8. Suits at law may be brought against any member of this company who shall refuse or neglect to pay any assessment made upon such member by the provisions of this act and the requirements of the by-laws of this company. Suits instituted.

§ 9. 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 When act to be void.

general laws as may hereafter be passed upon the subject of insurance companies.

§ 10. 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 March 29, 1869.

In force March 31, 1869. AN ACT to incorporate the Merchants' Union Insurance Company, of Chicago Illinois.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Charles B. Fanull, J. W. Stearns, James Forsythe, C. W. Holden, Iver Lawson, and their associates, being stockholders, are hereby created a body corporate and politic, with power to sue and be sued, plead and be impleaded, and to do all things usual and necessary to prosecute and do a fire and marine insurance business.

Amount capital stock.

§ 2. The capital stock shall be not less than three hundred thousand dollars, in shares of one hundred dollars each; which capital may be increased to one million of dollars. A majority of the above incorporators may open books for subscription to the capital stock, and when two hundred thousand dollars are subscribed and ten per cent. thereof paid in, the subscribers, upon notice, may meet and elect not less than nine nor over twenty-five directors, who shall hold office one year, and until their successors are elected, and shall have power to make such by-laws as they may deem necessary to prosecute and carry on the business of the company; and all stock subscribed shall be paid in ten per cent. upon subscribing, and the balance as may be required by the by-laws of the directors; and any stock not paid in within ten days after due may be forfeited, and all amounts paid thereon to the company.

May insure.

§ 3. This corporation may take all kinds of fire or marine and navigation risk, and receive premiums therefor as may be agreed; may buy and hold real estate necessary for their business purposes; may loan their capital and surplus, and take personal or real estate security therefor, in the usual manner, and may buy in the same when sold at any public sale or otherwise, and may sell and convey the same.

Stock deemed personal property.

§ 4. The stock of this corporation shall be deemed personal property.

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

APPROVED March 30, 1869.

AN ACT to incorporate the Union Co-operative Insurance Company. In force March 25, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Harrison W. Merrill, Charles Treadwell, William Shephard, Forrest F. Cooke, William Harvy, James Lyndon, and their successors, assigns and associates, be and are hereby created a body corporate and politic, under the name and style of "The Union Co-operative Insurance Company," situated at Chicago, Illinois; and, by that name, shall have and enjoy all the rights, privileges and immunities that other like corporations have, and be recognized in all courts of justice and equity in this state. Corporators.
Name and style.

§ 2. When the said party and their associates shall have subscribed one thousand (1,000) shares of one hundred dollars each to the capital stock of said company, and ten per cent. thereof in cash having in good faith been first paid into the treasury of the company, as the directors may prescribe, this the said corporation shall have power and legal authority to choose five (5) directors, and those directors shall have chosen one of their number president, and appointed a secretary and treasurer, it shall be deemed fully organized and enjoy powers herein conferred. Capital stock.

§ 3. The said company shall have power to make insurance and take risks on all kinds of property, marine and fire, and all such risks as all such companies have, and charge and receive such premiums therefor as may be agreed by and between the parties, either upon co-operative or mutual principles or both. Take risks.

§ 4. It shall be lawful for the said company to invest their funds in bonds and mortgages on unincumbered real estate, worth twice the amount of the sum loaned thereon, and in any stock created by or under the laws of this state or the United States, and on bottomry and respondentia or otherwise, at the discretion of the board of directors, and to change and reinvest the same, and may increase its capital to five hundred thousand dollars, Investment of funds.

§ 5. The said company may establish agencies and do all acts, not inconsistent with the constitution and laws of this or the United States, necessary to and for the full use and enjoyment and to carry out the full objects of this act. Agencies.

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

APPROVED March 25, 1869.

In force March 31, 1869. AN ACT to incorporate the Union Fire and Marine Insurance Company of Quincy, Illinois.

Corporators.	SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Henry Root, F. W. Jansen, James M. Pitman, Henry S. Osborn, Thomas Payne, William Charles, Joseph Sibley, M. Boon, Robert Tillson, Joseph C. Scroggs, H. Dills and Samuel R. Chittenden, and their associates and successors and all such persons shall become stockholders in the corporation hereby created, by its title aforesaid, shall be deemed and taken to be a body politic, in fact and in name, and the corporators and their successors shall have perpetual suc-
Corporators' name and powers.	cession, and by the name of "The Union Fire and Marine Insurance Company," it may make contracts, sue and be sued, complain and defend, in any court of law and equity, as fully as natural persons, and shall have power to make and issue policies of insurance upon dwelling houses, stores and all kinds of buildings, and upon household furniture, vessels, boats, cargoes, goods, merchandise, freights, and other property, against damages by fires; also, upon ves-
Amount capital stock.	sels, boats, cargoes, goods, merchandise, freights, and other property, against loss and damage by all or any of the risks of sea, lake, river, canal, and inland navigation and transportation, either by rail or water; and this company shall have power to make reinsurance of any risks to be taken by them.
Open books for subscription.	§ 2. The amount of the capital stock of this company shall be five hundred thousand dollars, divided into shares of one hundred dollars each; and the whole of the capital paid in shall be employed in the transaction of its business; but it shall be lawful for this company to commence business as soon as one hundred thousand dollars shall be paid in and be possessed by it in money.
Liability for unpaid installments.	§ 3. A majority of the corporators herein named shall be and are hereby authorized, at any time within two years after the passage of this act, to open books in the city of Quincy, for the subscription of the capital stock of this company, and to keep them open until the sum of two hundred and fifty thousand dollars shall have been subscribed; and as soon as convenient after the aforesaid amount of stock shall have been subscribed, the subscribers shall designate a time and place for the first election of directors; and each share of stock so subscribed shall be entitled to one vote: <i>Provided</i> , that the deposit ordered by the corporators, or a majority of them, of twenty thousand dollars per share shall have been first paid thereon. The board of directors, so elected, shall have all the powers hereinafter provided and shall call for the remaining installments of the capital stock as the said board of directors shall pre-

scribe. The board of directors shall have the right, in case that any stockholder shall fail to pay any installments for thirty days after a call thereof, by publication or otherwise, to declare the stock of such stockholder so in arrears forfeited to this company, together with the sums already paid thereon, or, at their option, to sue for and recover the entire amount of the subscription remaining unpaid. General meetings shall decide whether such forfeited stock shall be merged into the common stock of the company or sold by auction thereat to the highest bidder.

§ 4. The corporate powers of the company, granted under and by virtue of this act, shall be vested in and exercised, according to the provisions of this charter, by a board of directors of this company, to consist of nine directors, a majority of whom shall be citizens of the state of Illinois, and each of whom shall be the owner, in his own right, of at least one thousand dollars' worth of the capital stock of this company at its par value; and in case any director shall cease to be stockholder and owner to the amount of one thousand dollars' worth of the stock of this company at its par value, his office shall be considered vacant. The number of the directors of this company may be changed and increased, and, when its business requires, local boards may be established in Illinois and elsewhere, by a vote of two-thirds of all the directors in office at any time, not within thirty days next previous to an election of directors.

Powers and duties of the directors.

§ 5. The president of the company, or in his absence or inability to act, the vice-president or such other member of the board of directors as the board shall appoint, with all or any of the powers of such president, shall preside at any meeting of the board of directors, and shall, at all times, have a vote therein.

Presiding officer

§ 6. The election of the directors of this company shall be held on some day during the month of January, in each year, at such time and place as the directors shall appoint; and public notice of each such election shall be given by the said directors, in two public newspapers published in the city of Quincy or Chicago, at least three times during the fourteen days immediately previous to the time of holding such election; and the said elections shall be made by such of the shareholders of this company as shall attend, either in person or by proxy in writing held by a shareholder. Each shareholder so attending shall be entitled to one vote for each share of the capital stock owned by him and which he shall have held in his own name for at least thirty days prior to the time of voting. And all elections for directors shall be by ballot, and shall be conducted by two or more inspectors, to be appointed for that purpose by the board of directors, from among the shareholders; but neither of such inspectors shall be a director or officer of

Annual election for directors.

General powers.

Vice-president.

Duties of the directors.

Appointment of officers.

Quorum to do business.

Journal of proceedings.

this company. The shareholders who shall receive the greatest number of votes shall be the directors for the year next ensuing and until others are chosen in their place. The directors so elected, at their first meeting, shall proceed to elect one of their number, who shall be their president and the president of this company. The board may also elect from their number a vice-president, who shall possess such of the powers and perform such of the duties of the president as the board of directors may by their by-laws or resolutions, from time to time, direct, and whenever any vacancy shall occur in the office of president or vice-president or in the board of directors, such vacancy or vacancies may be filled for the remainder of the year in which the same shall happen by the remainder of the directors or a majority of them; but any failure to elect directors at the time hereinbefore specified shall not operate to dissolve this company; but in case of such failure it shall be the duty of board of directors to take measures for such election, in the manner hereinbefore provided; and, until such new election, the old board shall continue to act. The persons first chosen president and vice-president shall have and exercise all the powers and authority herein conferred on the president and vice-president of this company until their successors are elected.

§ 7. The board of directors shall have the power to appoint one or more secretaries, a surveyor, a counsel, and such officers, agents and clerks as may be deemed necessary, and to fix and at pleasure to change the salaries and compensation of any of them.

§ 8. Five of the directors shall constitute a quorum of the board for the transaction of business, and the board may delegate power to transact any of its business to committees of directors or to officers or agents, as it shall deem proper; and the board may, by a majority of their whole number, make such by-laws, not inconsistent with this charter and the constitution and laws of this state, as may be deemed necessary for the management of the property, the government of the officers, the regulation and conduct of the affairs of the company, and for the transfer of its stock, and may adopt a corporate seal of and for this company, and may, at pleasure, change the same.

§ 9. Minutes of the proceedings of the board of directors shall be kept and the same shall be entered in a book to be provided for that purpose, and signed by the president or acting chairman at the next meeting, when such minutes shall be confirmed. Shareholders shall be entitled to certificates of their capital stock, which capital stock shall be transferable, as provided in the by-laws of the company; and the board of directors shall cause suitable books for the registry and transfer of such shares, and every such transfer, to be valid, shall be made on such books and signed by

the shareholder or his attorney duly authorized, in writing, and the board of directors may close the transfer books, from time to time, as the convenience of the company may require.

§ 10. The president of this company or other person or persons appointed by the board of directors, for the purpose, are hereby authorized and empowered, under the direction of the board of directors and in the name and behalf of this company, to make any and all contracts of insurance with any person or persons or body politic or corporate, which this company may lawfully make, for such term or terms of time, for such premium or consideration, and under such restrictions, and upon such conditions, as may be agreed upon by this company and the persons or body politic or corporate agreeing with them for such insurance; and the policies of insurance shall be subscribed by the president, vice-president (if there be a vice-president), or in case of the absence or incapacity to act of the permanent president, officer or officers, by such other member of the board of directors as such board shall authorize to act temporarily, with all or any of the powers of such president, and shall be countersigned by the secretary, and shall be binding and obligatory upon this company in like manner and with like form as if given under the seal of this company.

Contracts for insurance.

§ 11. This company shall have power to invest its capital or funds in any bonds issued by this state or of the United States or such other securities as may be considered advisable, subject to the by-laws of this corporation; also, to purchase and hold such real estate as may be convenient and useful in 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 this company; to bid for and purchase such real estate at any sale made by virtue of or on account of any loan or mortgage made to or held by or for this company, and to hold, use, improve, lease and convey the same.

Invest funds in U. S. bonds.

§ 12. The fiscal year of this company shall commence on the first day of January, in each year, and terminate on the last day of December, in each year. The board of directors, out of the funds of this company, shall defray its expenses and pay its debts, and twice in each year may declare and pay out of the surplus net profits of its business, to its shareholders or their authorized attorneys, such dividends as they shall deem expedient, of which dividends notice shall be given, within ten days after declaring the same, in two daily newspapers published either in the city of Quincy or Chicago; but no dividends shall ever be made by this company when its capital shall be impaired or when the making of such dividend would have the effect of impairing its capital stock.

Fiscal year.

Increase of
capital stock.

§ 13. The capital stock of this company may, at any time, be increased in the manner provided for by the by-laws to any amount not exceeding one million dollars, by the addition of shares of one hundred dollars each, duly subscribed for and paid in, in such manner and upon such terms as the board of directors shall prescribe: *Provided*, that such increase shall have been first authorized by a special meeting of the shareholders of this company.

Banking business prohibited.

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

When act to
take effect.

APPROVED March 31, 1869.

In force March 10, 1869. AN ACT to incorporate the Union Mutual Insurance Company of Schaumburg.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That William Freise, John Fasse, Frederick Kastung, Conrad Koling, Henry Meyer, John Firoz, John Fraass, Henry Predeker and Henry Okhauer, of the town of Schaumburg, Cook county, Illinois, and all other persons, residents of the towns of Schaumburg, Elk Grove, and Palatine, in Cook county, who shall become associated with them in the manner hereinafter prescribed, shall be a body politic and corporate, by the name and style of "The Union Mutual Insurance Company of Schaumburg;" and, by that name, may sue and be sued, appear, prosecute and defend, in any court of record or other court or place whatsoever; and 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 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.

Name and style.

Corporate powers.

Membership.

§ 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.

§ 3. The affairs of said association shall be managed by the president, vice president, secretary, treasurer and three 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.

§ 4. 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. 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 on any Monday, by giving at least ten days' notice, by posting notices in at least four of the most public places in town.

§ 5. The board of directors shall have power to make all necessary rules and regulations for the transaction of the business of the association, during their term of office. They shall meet at the office of the secretary at such times as the interests 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.

§ 6. Said association may make insurance on all kinds of property against loss or damage by fire, lightning, wind and horse thieves, in the towns of Schaumburg, Elk Grove and Palatine, in the county of Cook.

§ 7. Any persons owning property in either of said towns 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 provided 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 payments of losses and expenses.

§ 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 president 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.

Issue of policies § 10. This association shall have power to issue policies for any term of time not exceeding five (5) years.

Directors to make report. § 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.

Damages. § 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 thus chosen; but their decision shall be subject to an appeal to the association, as regulated by the by-laws.

No property insured outside of towns. § 13. The said association shall insure no property outside the limits of the towns of Schaumburg, Oak Grove and Palatine, in the county of Cook, nor shall any person hold any office in said association who is not at the time a resident of one of said towns.

§ 14. This act shall be a public act, and shall be liberally construed for the purposes therein mentioned, and shall be in force from and after its passage.

APPROVED March 10, 1869.

In force March 13, 1869.

AN ACT to incorporate the Watseka Mutual Insurance Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Cornelius F. McNeill, George A. Woodford, William M. Coney, John L. Donevan, Frank J. Sears, Conrad Secrest and George O. Harrington, and their survivors and successors, 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 Watseka Mutual Insurance Company;" and, by that name, may sue and be sued, appear, prosecute and defend, in any court of record or other court or place whatever; and may

Name and style.

have and use a common seal, and alter and change the same at pleasure, and 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; and 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 in 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. Corporate powers.
Membership.

§ 3. The affairs of said company shall be managed by a board of directors, to consist of not less than five nor more than nine 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. Management.
Board of directors.

§ 4. The board of directors shall elect a president, vice president, secretary, and treasurer, who shall hold their 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, examiners, and attorneys in fact, for said company, may be appointed by and in the manner prescribed by the by-laws of said company. Officers.

§ 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; and may cause themselves to be reinsured upon the whole or any part of any risk on which they may have made insurance. May insure.

§ 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 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 premiums, together with the premium notes, shall constitute the capital stock of said company. Insurance rates.

§ 7. The directors of said company may levy an assessment upon the premium notes, at any time that they Assessments for payment of losses.

may deem it necessary, for the payment of all losses and expenses.

Members to pay losses and expenses. § 8. 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 or may be issued, to the amount of their premium note and cash premium, and no more; and said company shall have a lien against the insurance on 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.

Application for insurance to be 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.

Compel payment of losses. § 10. Whenever any assessment is made on any premium notes given to the said company and the makers thereof shall neglect or refuse to promptly pay the amount claimed by said company and so refuse for the space 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; and in case an action be brought for the recovery of any assessment due said company, the certificate of the secretary of said company, under the seal of said company, stating the amount of such assessments, shall be taken and received as *prima facie* evidence in all courts and places whatsoever; and all suits in favor of said company may be brought at the place where the home office of the company is located.

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 January, in each year, and such election shall be held at the office of said company, in the city of Watseka, at such hour of the day as the directors or executive committee for the time being may appoint or as may be fixed by by-law of said company. 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; or in case said executive committee shall fail to so appoint inspectors or any inspector so appointed be absent, the members present may fill any vacancy in the number of such inspectors. 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 members offering and in force at the time of the members offering to vote. The directors or executive committee are hereby authorized, at any meeting, to provide a

Inspectors of election.

form for the appointment of proxies and to specify the evidence that may be required of the execution thereof.

§ 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. Term of issue of 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 books of said company. Appointment of deputy secretary.

§ 15. The home office of said company shall be in the city of Watseka, in the county of Iroquois, and state of Illinois. Location of 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 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 not to change charter.

§ 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, how filled.

§ 18. 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 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. Act, when void.

§ 19. This act shall be deemed a public act, and be liberally construed for the purposes therein mentioned, and be in force on and after its passage.

APPROVED March 13, 1869.

AN ACT to incorporate the Western Fire, Marine and Plate Glass Insurance Company. In force April 5, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Egbert Jamieson, Joseph M. Barrows and James Gaggin, and their associates, successors and assigns, 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 Fire, Marine and Plate Glass Insurance Company," and, as such company, shall have perpetual succes-* Corporators. Name and style.

Corporate powers.

sion, shall have power to sue and be sued, plead and be impleaded unto, contract and be contracted with, answer and defend in any and all courts of law and equity, in this state and elsewhere. Said corporation shall have a common seal, and may renew and alter the same at pleasure; and shall have power to appoint all such servants and agents as it may deem necessary, and make and establish such by-laws, rules and regulations, for the management of its affairs, as it may think proper, and not inconsistent with the laws and constitution of the United States and of the state of Illinois, and shall be recognized in all its rights and powers, without pleading the same, in all the courts of Illinois.

Amount of capital stock.

§ 2. The capital stock of said company shall be five hundred thousand dollars, with power to increase the same to any sum not exceeding three million of dollars, by a resolution of its board of directors. 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.

Open books for subscription.

§ 3. The incorporators named in the first section of this act, or a majority of them, shall have power and authority, and it shall be their duty, 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, 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 opened until one hundred thousand dollars shall have been subscribed; and as soon as the sum of one hundred thousand dollars is subscribed and twenty-five per cent. thereof is paid, the said corporators or a majority of them shall call a meeting of the stockholders, by such notice as they may deem proper, to elect a board of directors. The election of the first board of directors shall be superintended by the corporators who shall have acted in opening the books for subscription. Said corporators shall have power to fill any vacancy that may occur, by the death, resignation or inability to act of either of their number. Said directors, so elected, shall hold their respective offices until the next annual election or until their successors are elected and enter upon their duties.

Insurance.

§ 4. The corporation hereby created shall have power to insure against loss or damage by fire or marine accident or casualty, and to insure plate glass, window glass, mirrors, show cases, glassware, statuary, ornaments, vases, China and crockery ware, against loss or damage by any accident or casualty, either stationary or in use or in transportation; and said company may fix the charges and rates of insurance upon all of the kinds of property it is hereby authorized to take risks and insurances on, and receive such pre-

miums for such insurance as may be agreed upon by the parties; and may issue policies of insurance to any person or persons or to any body corporate, against loss or damage by any accident or casualty whatever, on all or any of the kinds of property mentioned in this section. Said company shall, also, have power to erect or lease a building or buildings or parts thereof, for the purpose of carrying on their business, and may construct therein fire and burglar proof vaults and safes, and may lease the same or any portion thereof, and receive for safe keeping any and everything which may be the subject of ownership or of value, upon such terms and conditions as may be agreed upon. Erect buildings.

§ 5. The business control of said company shall be and remain in a board of directors, of not less than five 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 represented at said meeting, duly called, according to law, as soon as one hundred thousand dollars of said stock is subscribed for, as hereinbefore provided. Management.
Directors.

§ 6. 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 election, vote in person or by proxy—each share of stock owned by him being entitled to one vote; and all persons receiving a majority vote of the stock represented and voted upon at said election shall be duly elected directors of said company; but if for any reason said annual election shall not take place said company shall not be dissolved on that account, but said boards of directors shall remain in office until another board is elected. Election of
directors.

§ 7. 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 mortgage real estate belonging to said company, to secure the payment of any loan or loans so made, or in place thereof to issue the bonds of said company, payable at such time and place and bearing such rate of interest, not exceeding ten per cent. per annum, as said board of directors may deem proper, for the promotion of the business of said company. May borrow
money.

§ 8. 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. May receive
personal prop-
erty.

§ 9. The officers of said company shall be a president, vice-president, attorney, secretary and treasurer, and such other officers and agents as may be provided for by the by-laws of said company, and shall be elected by the board of directors of said company. Officers.

Quorum. § 10. A majority of the board of directors shall constitute a quorum for the transaction of all business.

Banking business prohibited. § 11. The powers conferred by this act shall not be construed to authorize the business of banking, or exempt said company from the operation of such general laws as now exist or may hereafter be passed upon the subject of insurance companies.

Objects of the corporation. § 12. It is hereby declared that, in the judgment of the legislature, the objects of this corporation cannot be obtained under the general incorporation law of this state.

How obtained.

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

APPROVED April 5, 1869.

In force March 25, 1869. AN ACT to incorporate the Western Metropolis Insurance Company of Chicago.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Daniel A. Jones, Julian S. Ramsey, George M. How, E. W. Densmore, David L. Hough, and their associates, successors and assigns, be and they are hereby created a body

Name and style. corporate and politic, under the name and style of "The Western Metropolis Insurance Company of Chicago, Illinois"; and, by that name, shall have and enjoy all the rights, privileges and immunities which are necessary to

Duration of corporation. accomplish the purpose of this act, and be recognized in all courts of justice and equity in the state, for the term of fifty years from the passage of this act: *Provided*, that if the corporation created by this act shall not organize within two years from the passage thereof then this act shall become null and void.

Amount of capital stock. § 2. The capital stock of said corporation shall be one million dollars, and shall be divided into shares of one hundred dollars each, which shall be assignable and transferable only on the books of the company, under such regulations as the directors may establish.

Organization. § 3. When the said parties and their associates shall have subscribed four hundred thousand dollars, and shall have paid in twenty-five dollars on each share, as a company fund, and organized, by choosing nine or more directors, and those directors shall have chosen one of their number president and appointed a secretary and treasurer and filed a certificate of same, under the seal of the company, signed by the secretary and president, in the office of the clerk of the city of Chicago, it shall be deemed fully organized, and enjoy all the powers herein conferred.

§ 4. Said corporation shall have power to make and put in operation all such by-laws and regulations as they may deem proper for the well ordering of its affairs: *Provided*, they be not repugnant to the laws of the United States or of this state.

To establish
by-laws and
regulations.

§ 5. Said corporation shall have full power and authority to take risks and make insurance on vessels and all property laden on board thereof, upon houses and other buildings, and the furniture and goods therein, and upon all other legal subjects of insurance, and to do all other acts and things necessary and incident to the transaction of a marine and fire insurance business, either upon the mutual or stock plan, or both; and to loan their surplus or unemployed capital or money, on personal, real or other securities, at such rates of interest as may be done under the existing laws of the state, or invest the same in stocks; they may, also, cause themselves to be insured or reinsured against all or any risk upon which they may have been insured, and also upon all property, of every kind, or any interest therein, owned or held by them as security or otherwise.

Lawful to take
risks.

§ 6. The real and personal property of each individual stockholder shall be held liable for any and all losses and liabilities of the company, to the amount of stock subscribed or held by him and not actually paid in. In all cases of losses exceeding the means of the corporation, each stockholder shall be held liable to the amount of unpaid stock held by him.

(Stockholders'
liability.

§ 7. The business of the company shall be carried on in the city of Chicago, and elsewhere by agencies, as the directors shall direct.

Place of busi-
ness.

§ 8. The stock and affairs of said corporation shall be managed by three or more directors, who shall be stockholders of said corporation. They shall, after the first year, be elected annually, and shall hold their offices until others shall be chosen to supply their places. Ten days' notice shall be given of such election to each stockholder, by public advertisement or personal notice, and shall be made by ballot, by the majority of stock, allowing one vote for every share, either by person or proxy. And in case of the death or resignation of the president or any director, the vacancy may be filled by the board of directors or by election of the stockholders, due notice being given. 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.

Management.
Board of di-
rectors.

§ 9. This act shall be and 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.

APPROVED March 25, 1869.

In force March 13, 1869. AN ACT to incorporate the Western Underwriters' Insurance Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Henry C. Sweetser, James T. Drummond, Lawson A. Parks, W. T. Miller and J. H. Yager, and their associates, successors and assigns, be and are hereby created a body corporate and politic, under the name and style of "The Western Underwriters' Insurance Company of Alton, Illinois;" and, by that name shall have and enjoy all the rights, privileges and immunities which are necessary to accomplish the purposes of this act, and be recognized in all courts of law and equity in this state for the term of fifty years from the passage of this act: *Provided*, that if the corporation created by this act shall not organize within within one year from the passage thereof, then this act shall become null and void.

§ 2. The capital stock of said corporation shall be one million dollars, and may be increased to an amount not exceeding five million dollars, at the discretion of the stockholders, and shall be divided into shares of one hundred dollars each, which shall be assignable and transferable only on the books of the company, under such regulations as the directors may establish.

§ 3. When the persons named in section 1, of this act, their associates or assigns, shall have subscribed one hundred thousand dollars, and shall have paid in five dollars on each share as a company fund, and organized by choosing three or more directors, and those directors shall have chosen one of their number president and appointed secretary and treasurer, and filed a certificate of the same, under the seal of the company, signed by the secretary and president, in the office of the clerk of the city of Alton, it shall be deemed fully organized, and enjoy all the powers herein conferred.

§ 4. Said corporation shall have power to make and put in operation all such by-laws and regulations as they may deem proper for the well ordering of its affairs: *Provided*, they be not repugnant to the laws of the United States or of this state.

§ 5. Said corporation shall have full power and authority to take risks and make insurance on vessels and all property laden on board thereof, upon houses and other

buildings and the furniture and goods therein, and upon all other legal subjects of insurance, and to do all other acts and things necessary and incident to the transaction of a marine and fire insurance business, either upon the mutual or stock plan, or both; and to loan their surplus or unemployed capital or money, on personal, real or other securities, at such rates of interest as may be done under the existing laws of this state, or invest the same in stocks; they may, also, cause themselves to be insured against all or any risk upon which they may have been insured and also upon all property, of every kind, or any interest therein, owned or held by them as security or otherwise.

§ 6. The real and personal property of each individual stockholder shall be held liable for any and all losses and liabilities of the company, to the amount of stock subscribed or held by him and not actually paid in. In all cases of losses exceeding the means of the corporation, each stockholder shall be held liable to the amount of unpaid stock held by him. Stockholders' Liability.

§ 7. The business of the company shall be carried on in the city of Alton, and elsewhere by agencies, as the directors shall direct. Place of business.

§ 8. The stock and affairs of the corporation shall be managed by three or more directors, who shall be stockholders of said corporation; they shall, after the first year, be elected annually, and shall hold their offices until others shall be chosen to supply their places. Ten days' notice shall be given of such election to each stockholder, by public advertisement or personal notice, and shall be made by ballot, by the majority of stock, allowing one vote for every share, either by person or by proxy; and in case of the death or resignation of the president or any directors, the vacancy may be filled by the board of directors or by election of the stockholders, due notice being given. Business managed by directors.

§ 9. Nothing in this act shall be so 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 business prohibited.

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

APPROVED March 13, 1869.

In force March 13, 1869. AN ACT to incorporate the Woolen Manufacturers' Insurance Company of the Northwest.

- SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That George S. Bowen, Francis K. Nichols, Joseph Capps, J. G. Stolp, Jesse Green, Jesse McAllister, Ed. K. Thayer, 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 Woolen Manufacturers' Insurance Company of the Northwest;" and, by that name and style, shall have perpetual succession, and enjoy all the rights, privileges and immunities which are necessary to accomplish the purposes of this act; and be recognized in all courts of law and equity, or where judicial proceedings shall be had; may have and use a common seal, which they may alter at pleasure.*
- Corporators.**
- Name and style.**
- Corporate powers.**
- Amount of capital stock.**
- § 2. The capital stock of said corporation shall be one hundred thousand dollars, and may be increased to any sum not exceeding five million dollars, to be divided into shares of five hundred dollars each; and said stock shall be deemed personal property, and be transferable only on the books of the said company, under such regulations as the board of directors may establish; but no stockholder shall be permitted to transfer his stock while he is indebted to the corporation.
- Open books for subscription**
- § 3. The persons named in the first section of this act are hereby appointed commissioners for procuring subscriptions to the capital stock of said company, and they, or either 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; and whenever one hundred thousand dollars or more shall have have been subscribed and not less than twenty-five per cent. thereof shall have been paid in cash, and the balance secured by United States bonds or good indorsed notes, to the satisfaction of said commissioners, said commissioners shall notify the stockholders of the same, and appoint a time and place at which they shall meet for organization, giving at least ten days notice; and when said company shall have organized, by the choice of directors, and said directors shall have chosen a president, vice president, secretary and treasurer, all of whom shall be stockholders, said corporation shall be deemed fully organized, and enjoy all the powers herein conferred.
- Organization.**
- Election of board of directors.**
- § 4. There shall be a board of directors of not less than thirteen or more than thirty-nine, elected annually, on the first Tuesday in February, of whom one or more shall be residents of the following states, to wit: Illinois, Michi-

gan, Ohio, Indiana, Kentucky, Missouri, Iowa, Kansas, Nebraska, Minnesota, and Wisconsin: *Provided*, there shall be stockholders in each of these states and holders of not less than three shares of stock. The voting shall be by ballot, but absent stockholders may vote by proxy, in writing; and said directors shall hold their office for one year and until others are elected in their place: *Provided*, the first directors shall hold their office until the first Tuesday in February following their election; and no person shall be chosen director who is not a stockholder of at least three shares.

Term of office

§ 5. A majority of the stock, represented by owner-ship or proxy, shall constitute a quorum at any stockholders' meeting, and a majority of directors shall constitute a quorum of the board to transact business.

Quorum.

§ 6. The board of directors may adopt such by-laws as they deem advisable, and shall have power to fill any vacancy that may occur in their own body, and shall in January of each year, estimate the net profits that have accrued, if any, on the business of the company, and declare such a dividend thereof as they may deem desirable. The directors may call for such assessments, from time to time, as they may deem necessary, until the whole amount of five hundred dollars per share shall have been paid in cash; and no further assessments shall be made, but the books shall always be open for all woolen manufacturers to subscribe to the capital stock, until the whole amount of five million dollars shall have been taken; and preference shall always be given to woolen manufacturers residing within the states above named.

Special regulations.

Subscription books to remain open.

§ 7. The said company shall have power to make insurance against loss or damage by fire or lightning on woolen mills, machinery, fixtures, wool, woolen stock, goods, and other property therein, and on other property, with the consent of a majority of the stockholders in writing.

Issue of policies

§ 8. All policies of insurance issued by said company shall be signed by the president or vice president, secretary, and approved by one director; and, all such policies shall be valid and binding on said company; all losses occurring may be adjusted and settled by the president, secretary, or one director, subject to the approval of at least three directors; and, 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.

Policies to be signed by the president.

§ 9. 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 officers.

Annual financial statement.

May borrow money. § 10. Said corporation shall have power to borrow money, when deemed necessary in conducting its business; also to loan surplus funds, on good security, or invest the same, under such regulations as the board of directors may prescribe.

When act to take effect. § 11. This act shall be deemed a public act, for the purposes herein contained, and shall take effect from and after its passage.

Act, when void. § 12. Unless this 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.

APPROVED March 13, 1869.

In force March 29, 1869. AN ACT to incorporate the Yokohama Insurance Company of Chicago.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Henry Fuller, Thomas H. Wood, John J. Knickerbocker, Henry H. Blake and George W. Fuller, and their successors, assigns and associates, be and are hereby created a body corporate and politic, under the name of "The Yokohama Insurance Company of Chicago;" 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 any estate, real or personal, 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 descriptions of property against loss or damage by fire. Second, to make insurance on cargoes and freights of boats and vessels, and upon bottomry and respondentia interests, against the perils 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 one year from the passage thereof, this act shall be null and void.*

Amount of capital stock. § 2. The capital stock of said corporation may be two million 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 install-

ment thereon shall be ten per cent. on one hundred thousand dollars. And said stock shall be transferable only on the books of said company.

§ 3. Books of subscription may be opened under the direction of the board of directors, as 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 subscriptions 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 capital or other assets in the possession of the company the said board of directors may deem best for the interest of the company to so invest.

Open books
for subscrip-
tion.

§ 4. The persons named in the first section of this act shall constitute the first board of directors, and shall hold their office until the third Monday in January next succeeding the organization of the company, and until their successors are elected and qualified. And on the third Monday in January, in each year, there shall be an election of not less than three nor more than twenty-five directors, held in the city of Chicago, 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. 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 of directors 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.

First board of
directors.

Election, time
and place of.

§ 5. All policies of insurance issued by said corporation shall be signed by the president and secretary; and in case of 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 the directors may from time to time prescribe.

Policies signed.

§ 6. The office of the company shall be located and kept in the city of Chicago; 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. 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 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.

Place of business.

§ 7. This act is hereby declared a public act, and shall take effect from and after its passage, and shall be liberally construed for the purposes therein contained.

APPROVED March 29, 1869.

INSURANCE (FIRE) COMPANIES—NEW PRIVILEGES.

In force March
27, 1869.

AN ACT to change the name of the Burglary Insurance Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the
Name changed. name of the Burglary Insurance Company is hereby changed to "Mechanics' Insurance Company." Said change is in nowise to affect any of the acts and things done by said insurance company previous to the passage of this act.

Organization.

§ 2. The time for the organization of said company is hereby extended to two years from the passage of this act.

§ 3. 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 27, 1869.

In force March
30, 1869.

AN ACT to change the name of the Chicago National Insurance Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the
Name changed. name of the Chicago National Insurance Company may be changed, by a vote of the directors thereof, to that of "The Superior Insurance Company." But such change shall not deprive said company of the right to insure buildings and all other property against loss by fire, nor of any other of its rights and powers: *Provided*, such change in its corporate name shall not take effect until the action of the directors thereon shall have been filed with the secretary of state.

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

APPROVED March 30, 1869.

AN ACT to amend the charter of the Commercial Insurance Company. In force March 2, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section Sec. 3 amended. third (3) of the act to incorporate the Commercial Insurance Company, be amended so as to read, after the word "elect," in said section, "not less than nine directors," instead of "nine directors," as it now reads.

§ 2. This act is hereby declared to be a public act, and to take effect from and after its passage.

APPROVED March 2, 1869.

AN ACT to amend the charter of the Continental Insurance Company. In force March 30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Act amended. charter of the Continental Insurance Company is hereby amended by adding the following provision, namely: "The board of directors of said company shall be authorized and empowered to remove the principal office of said company to the city of Chicago, whenever, in their discretion, the best interests of said company may require such removal to be made."

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

APPROVED March 30, 1869.

AN ACT to amend an act entitled "An act to incorporate the Federal Union Insurance Company," approved February 16th, 1865. In force March 15, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Federal Union Insurance Company, now organized and doing business under the provisions of an act entitled "An act to incorporate the Federal Union Insurance Company," approved February 16th, 1865, be and the said company are [is] hereby authorized to remove its home office from Sycamore, in the county of DeKalb, to the city of Elgin, in the county of Kane. Remove home office.

§ 2. The said company may increase its capital stock to any amount, not exceeding five million dollars: Increase of capital stock. *Provided,* that one hundred thousand dollars of the present capital of said company shall have been paid up; and may

increase the number of its directors to such a number as the board of directors may deem expedient.

Former acts confirmed. § 3. The policies heretofore issued by the company shall in no way be invalidated by the removal of the home office of the company; and all the proceedings done and contracts made by the said company, either in the organizing of the company or subsequently, under the provisions of said act, shall be deemed and taken as legal and valid, and shall in nowise be invalidated by the removal of the home office.

Stock plan of insurance. § 4. Said company shall do no insurance business upon any mutual plan, but shall issue all its policies upon the stock plan only.

Sec. 10 repealed. § 5. Section 10 of the act to which this is an amendment is hereby stricken out and repealed.

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

APPROVED March 15, 1869.

In force March 10, 1869. AN ACT to amend the charter of the Home Mutual Fire Insurance Company of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the name of the Home Mutual Fire Insurance Company of Illinois, created and organized under the act of the general assembly entitled "An act to incorporate the Home Mutual Fire Insurance Company of Illinois," approved February 22d, 1861, be and is hereby changed to "The Chicago Fire Insurance Company;" and by that name shall have perpetual succession, and, as such corporation, shall hereafter have full power and authority to carry on and do a general fire and marine insurance business in any and all of the states of the United States.

Open books for subscription. § 2. That the directors of the said company are hereby authorized to open books and to receive subscriptions for [the] capital stock of 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 one hundred 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. And the present members of said insurance company shall have a preference in the subscribing for said capital stock.

§ 3. The stock capital of the company herein provided for, together with the premium notes of said company, shall be holden for all liabilities now owing by said insurance company, as also for all liabilities contracted subsequent to the passage of this act: *Provided*, that said premium notes shall in no case be liable for the payment of dividends. Liability of stockholders.

§ 4. 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. Surplus funds.

§ 5. 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.

§ 6. In the election of directors, each shareholder shall be entitled to one vote for each share of stock holden by him or her. Election of directors.

§ 7. The policies of insurance issued by said company shall be signed by the president or vice-president, attested by the secretary and sealed with the corporate seal, or be without seal, and shall be as binding on the company without seal as when sealed. Policies signed.

§ 8. The directors shall have power to make and put in operation all such by-laws and regulations they may deem proper for the well-ordering of its affairs: *Provided*, that they may not be repugnant to the laws of the United States or of this state: *And, provided, also*, that nothing herein contained shall exempt said company from the operation of such general laws as may hereafter be passed upon the subject of insurance companies. By-laws.

§ 9. 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 a meeting to be holden on the twenty-second day of February, A. D. 1869. When act to take effect.

APPROVED February 10, 1869.

AN ACT to amend an act entitled "An act to incorporate the Lamar Insurance Company of Chicago." In force June 19, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the act entitled "An act to incorporate the Lamar Insurance Company of Chicago, Illinois," approved February 16th, 1865, Act amended.

be and the same is hereby amended as follows, to-wit:
That the board of directors of said Lamar Insurance Company may consist of any number of persons, not less than seven—the number thereof to be determined, from time to time, by the board of directors then in office.

Increase of capital stock of § 2. That the board of directors of said company are herewith empowered and authorized to increase their capital stock to any amount not exceeding five million dollars—the subscriptions to the capital stock of said company and the manner of securing the same being determined by and subject to the approval of the directors of said company.

Banking business prohibited. § 3. Nothing in this act shall be construed so as to permit said company to do a banking business or to exempt them from the operations of any general law that shall hereafter be passed upon the subject of insurance.

APPROVED March 29, 1869.

In force March 4, 1869. AN ACT to amend an act entitled "An act to incorporate the Merchants' Insurance Company of Chicago."

Managers. 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, as may be determined by the stockholders at their annual elections.

§ 2. This act shall take effect on and after its passage.

APPROVED March 4, 1869.

In force April 6, 1869. AN ACT to amend an act entitled "An act to incorporate the Illinois Mutual Fire Insurance Company," approved Feb. 23, 1839.

Act amended. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section ten of said act, which provides that suits against said company shall be brought in Madison county, be and the same is hereby so amended that the party bringing suit may obtain service on any agent of said company in the county where the loss or damage may have happened.

Sec. 1 repealed. § 2. That so much of section one of an act to amend an act entitled "An act to incorporate the Illinois Mutual Fire Insurance Company," approved February 13, 1863, as pro-

vides that suits may be brought out of Madison county, be and the same is hereby repealed.

§ 3. That no amendments to the charter of the Illinois Mutual Fire Insurance Company, heretofore passed, shall be so construed as to deprive the members of the company of any of the rights and privileges conferred upon them by the original act, approved Feb. 23, 1839. Powers and privileges.

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

APPROVED April 6, 1869.

AN ACT supplementary to an act to incorporate the Mutual Security Insurance Company.

force March 12, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That any stockholder, who shall elect so to do, may pay in full or any less amount of stock subscribed by him, whether the same has been called for or not; and in making dividends upon the earnings of capital paid in, in said company, such dividends shall be made, *pro rata*, upon the capital paid in; but other dividends shall be made equally upon all the stock of the company, as provided in its charter, whether the same has been called for or not. When any call is made, the stockholders who shall not respond and pay the call, as it becomes due and payable, shall, at the option of said company, forfeit his stock; and said company may transfer or issue the same to the surety upon the note of the defaulting stockholder or to any other person or corporation who will pay the call, or may collect the same by suit before any justice of the peace or court of competent jurisdiction, with interest at ten per cent. from the time the call was due. Dividends, how and when declared.

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

APPROVED March 12, 1869.

Delinquent stockholders.

AN ACT supplementary to an act to incorporate the Mutual Security Insurance Company.

In force March 25, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That any stockholder, who shall elect so to do, may pay in the full or any less amount of stock subscribed by him, whether the same has been called for or not; and in making divi- Dividends.

dends upon the earnings of the capital paid in, in the said company, such dividends shall be made, *pro rata*, upon the capital paid in; but other dividends shall be made equally upon all the stock of the company, as provided in its charter, whether the same has been called for or not.

Stock forfeited.

§ 2. When any call is made, the stockholder who shall not respond and pay the call, as it becomes due and payable, shall, at the option of said company, forfeit his stock; and said company may transfer or issue the same to the surety upon the note of the defaulting stockholder or to any other person or corporation who will pay the call, or may collect the same by suit before any justice of the peace or court of competent jurisdiction, with interest at ten per centum, per annum, from the time the call was made.

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

APPROVED March 25, 1869.

In force March 8, 1869. AN ACT to amend an act entitled "An act to incorporate the National Insurance Company," approved February, 25th, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections five (5) and seven (7), of said act, be and the same are repealed.

Sections 5 and 7 repealed.

Meeting of stockholders.

§ 2. There shall be an annual meeting of the stockholders of the company, at its office, in Chicago, on the second Tuesday of January, of each year, at which time any number of directors that may be agreed upon by a majority of said stockholders, shall be elected to serve for one year and until their successors be chosen, who shall constitute the board of directors of said company; and any number of directors, not less than seven, shall constitute a quorum of the board, to transact business; but the secretary of the company shall notify each director of all meetings of the board, by written or printed notice, to be left at his residence or place of business, or if a non-resident of the city of Chicago, then by a similar notice to his post office address: *Provided, however,* that the first election for directors under the provisions of this act, may be held at the company's office, in Chicago, at any time subsequent to the passage of this act, after giving five days' written or printed notice to each and every stockholder, by the secretary of the company: *And, provided further,* that the existing board of directors, under the said fifth section of said act, hereby repealed, shall continue to act

as directors until their successors shall be elected, as heretofore provided.

§ 3. A majority of stock, represented by ownership or proxy, shall constitute a quorum at any stockholders' meeting, whether annual, adjourned or called; and a majority of the stockholders present at any such meeting may adjourn to a certain day or on the call of the president of the company, and each share of stock represented shall be entitled to one vote on all questions arising at any stockholders' meeting. Quorum.

§ 4. All surplus funds and all paid up capital may be invested or loaned, in such way and upon such terms as the directors may deem best for the interests of the company, subject, however, to such instructions as to surplus funds as may be given by the stockholders at any annual or special meeting. Invest funds.

§ 5. The board of directors of said company may establish such agencies, in the city of Chicago, and elsewhere, as may be necessary to carry on the business of said company; but nothing herein contained shall be so construed as to permit said company, or its board of directors, to remove their main office or place of business from the said city of Chicago. Agencies.

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

APPROVED March 4, 1869.

AN ACT to amend an act to incorporate the Planters' Insurance Company, In force March approved February 16, 1865. 29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the directors of the Planters' Insurance Company may establish the home office of said company in the city of Chicago, whenever they may deem it expedient. Location of office.

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

APPROVED March 29, 1869.

AN ACT to amend an act entitled "An act to incorporate the Republic Insurance Company of Chicago," approved February 15, 1865. In force March 25, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be lawful for said company to purchase and hold such real estate. Purchase, hold and convey real estate.

estate as may be convenient for the transaction of its business, and to purchase real estate at any sale made in virtue of any loan, debt or mortgage made to or held by the said company, and to receive and take, in satisfaction of any such loan or debt, any real estate, and to hold or convey the same.

Stock may be increased.

§ 2. The board of directors shall have power to increase the capital stock of said company, from time to time, in their discretion.

Vote of non-resident stockholders.

§ 3. The stockholders, resident in any town or city within the United States, may, at any annual meeting of such stockholders, to be held in such town or city, elect such member or members of the board of directors as such stockholders may be entitled to by the by-laws of such corporation.

Rules for government.

§ 4. The board of directors shall have power to make and put in operation all such by-laws and regulations as they may deem proper for the well-ordering of the affairs of said company: *Provided*, they shall not be repugnant to the laws of the United States or of this state.

Vote, how taken

§ 5. The members of the board of directors shall have power to act, in the management of the affairs of said company, by proxy, or letter of authority, or otherwise, as may be determined by the by-laws.

§ 6. This act shall be and hereby is 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.

APPROVED March 25, 1869.

In force March 29, 1869. AN ACT to amend an act entitled "An act to incorporate the Star Insurance Company."

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 said corporation may purchase, retain, hold, possess, or sell and convey, so much real or personal estate as may be deemed necessary or desirable, to effect the object or promote the interests of said company.

Sec. 3 amended.

§ 2. That the third section of the said act be and the same is hereby so amended, that the directors of said company, therein provided, shall be chosen and elected from among the stockholders of said corporation.

Sec. 7 amended.

§ 3. That the seventh section of the said act be and the same is hereby so amended, that all premiums received

by said company, for policies of insurance, shall be in cash, upon and at the rates of premium determined by its board of directors.

§ 4. That the eighth section of the said act be and the same is hereby so amended, that the said Star Insurance Company is hereby authorized and empowered to raise and have a capital stock of not less than two hundred thousand dollars, with privilege of increasing the same to any amount not exceeding five millions of dollars; which shall be divided into shares of one hundred dollars each, and shall be assignable and transferable only on the books of said company, in such manner and under such regulations as the board of directors may determine, which said stock shall be subject to and for the liabilities of said company; and such stock, herein provided, together with the accumulations obtained from its business, shall be the only and exclusive guarantee to its members or policyholders, and no stockholder shall be liable beyond the amount of unpaid stock by him subscribed or owned.

Sec. 8 amended.

Capital stock.

§ 5. The directors of said company are hereby authorized to open books of subscription to the said capital stock, upon the terms and conditions following, viz: At the time of subscribing, there shall be paid on each share twenty-five dollars in cash, and the remainder thereof shall be subject to the calls of the directors, under such penalties as the board of directors may appoint and order; shall be secured to be paid on demand, or otherwise, as the said directors shall require, by a deposit of United States bonds, stocks of National Banks, or approved notes, secured by first mortgages on real estate, worth at least double the amount secured thereon.

Open books for subscription

§ 6. That the twelfth section of said act be so amended, that the principal office of said company shall be in the city of Chicago.

Location of office.

§ 7. That the fifteenth section of said act be so amended that the notice of election of directors therein provided for shall be given in one or more of the daily newspapers published in the city of Chicago at least ten days immediately preceding such election; and such election shall be by ballot, made by a plurality of stock, either in person or by authenticated proxy.

Sec. 15 amended

§ 8. That the sixteenth section of said act be so amended, that the secretary may give the notice of meetings of the board of directors, either in person or by letters addressed to said directors, through the post office, or by publication in one or more daily newspapers published in the city of Chicago.

Sec. 16 amended

§ 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 be taken to be, in all courts of

When this act shall take effect.

justice in this state, public acts, and be liberally construed for the purposes therein set forth; and this act shall take effect and be in force from and after its passage.

APPROVED March 29, 1869.

In force March
27, 1869.

AN ACT to revive and continue in force an act therein named.

Act continued.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That an act approved February 28, 1867, entitled "An act to incorporate the Vesuvius Insurance Company," is hereby declared to be in full force and effect, and said company may be organized in the manner in said act provided, at any time within one year, from and after the passage of this act; and when so organized, said company shall have and exercise all the powers in and by said act conferred, and shall be subject to all other provisions in that act contained, except as to the time when or within which said company is required to organize.

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

APPROVED March 27, 1869.

INSURANCE (LIFE) CO.'S—INCORPORATED.

In force March
29, 1869.

AN ACT to incorporate the Armour Life Insurance Company, of Chicago, Illinois.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That George Armour, Solomon A. Smith, Iver Lawson, J. Young Scammon, George M. Kimbark, Julian S. Ramsey, Jesse K. Dubois, Eliphalet B. Hawley, William F. Coolbaugh, Hiram Wheeler, William N. Reynolds, James F. Ballantyne, H. B. Miller, G. L. Hoodless, and C. N. Holden, and all others who may be associated with them as subscribers to the capital stock, shall be and hereby are declared to be a body corporate and politic, for the purpose of insuring lives and granting endowments or annuities, by the name of "The Armour Life Insurance Company;" and, by that name, they, their associates, successors or assigns,

Name and style.

shall be and hereby are forever hereafter made to be capable in law to sue and be sued, and be recognized in all courts of law and equity, and hereby are possessed of full power and authority to make and execute and put in execution all such by-laws and regulations as may be deemed necessary by the board of directors, in conformity to law and the act or acts which may be passed regulating the business of life insurance or now in force, respecting the conduct of the affairs of life insurance companies in 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 second Monday in January, A. D. 1872. Annual elections of the company shall be holden the second Monday of January, at the office of the company; and it shall be lawful to hold an election on any other day, by giving ten days' notice, by publication in a newspaper printed in the city of Chicago, in case an election be not held on the second Monday of January, as aforesaid. After January, 1872, five directors shall be annually elected, whose term of office shall be three years, or until their successors are elected. The directors shall, annually, select a president, vice president, treasurer, and secretary, from their number, whose respective duties shall be prescribed by the by-laws. They shall, also, appoint a general agent, and such assistants and employees as they may, from time to time, deem to be necessary. The home office of the company shall be located in the city of Chicago, and the company may appoint such agents at other points as they may desire.

§ 3. The capital stock shall not be less than two hundred thousand dollars nor more than five hundred thousand dollars, and may be increased not to exceed the above amount, at any time, in the manner provided for by the by-laws of the company. The capital stock shall be divided into shares of one hundred dollars each, and each stockholder, at all elections, shall be entitled to one vote for each share of the capital stock held by him; and stockholders shall vote in person or by proxy. The stock of the company shall be transferable on the books of the company, and not otherwise. Forty per cent., at least, shall be paid in upon all subscribed stock at the time of organization; and in the case of an increase of the capital stock, not less than forty per cent. shall be paid in at the time of making the subscription: *Provided*, that the company has paid in at the time of organization not less than one hundred thousand dollars in actual cash.

§ 4. Books of subscription may be opened by any five of the incorporators herein named; and in case any of the persons herein named refuse to accept the trust herein contained or refuse to serve as directors, or resign or die, before their term of office expires, the remaining ones may at

First board of directors.

Annual election

Agents.

Amount of capital stock.

Subscription books opened to capital stock.

once proceed to elect, to fill such vacancy, some suitable person, a resident of the state of Illinois.

When vacancies occur, how filled.

§ 5. The board of directors may, at any time during their term of office, fill by appointment any vacancy that may occur in their numbers, and they may delegate their powers to an executive committee, to consist of three of their own number, in the manner prescribed by their by-laws. The president shall sign and the secretary countersign all policies of insurance and renewals thereof, and may issue, as ordered by the directors, all forms and kinds of approved life insurance policies, including the granting of annuities and endowments and the purchasing of the same: *Provided*, they are all issued upon what is known as the "cash system," and do not upon any one life exceed the sum of ten thousand dollars.

Policies signed.

Investment of capital stock.

§ 6. The capital stock and accumulated funds of the company shall be invested in United States or state bonds, mortgages on unincumbered real estate worth at least fifty per cent. more than the amount loaned thereon, or in the stocks of any interest or dividend paying institution, or in the bonds of any city or county of this state that regularly pays the interest on their indebtedness; and no money belonging to the company shall be loaned to any stockholder or officer of the company, except upon exactly the same terms as loans are made to other persons, and are secured in the same manner as similar loans to persons not stockholders or officers: *Provided*, the company may at all times hold such real estate as may be necessary for the convenient transaction of its business and such real estate as may be mortgaged to the company for loans and is taken to secure such debt.

Banking business prohibited.

§ 7. This act shall be subject to any general law on the subject of life insurance, and shall not be construed as in any way authorizing a banking business to be done under it.

Privileges.

§ 8. The company shall adopt a seal, and may alter and amend the same at their pleasure. The privileges granted by this act shall be in force from and after the first day of April, A. D. 1869: *Provided*, an organization be effected under the same within two years from the date of its commencement.

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

APPROVED March 26, 1869.

AN ACT to incorporate the Chicago and Yeddo Insurance and Tea Company. In force April 9, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Henry Fuller, Joseph H. Wood, Geo. W. Fuller, Joshua C. Knickerbocker, Edwin W. Jewell, and Thomas H. Wood, their successors, assigns, and associates, be and are hereby constituted a body corporate and politic, under the name of "The Chicago and Yeddo Insurance and Tea Company;" and, by that name, they shall have perpetual succession; may have and use a common seal, which they may alter at pleasure; with power to contract and be contracted with, to sue and be sued, to acquire, hold and convey real, personal and mixed property; to import, export and transport teas and other merchandize; and, in addition to these general powers, shall have authority, by instrument under seal, or otherwise: First—to insure against loss of life, by accident or natural death. Second—to insure all descriptions of property against loss or damage by fire. Third—to make insurance on cargoes and freights of boats and vessels, upon bottomry, and respondentia interest, against the perils of marine and inland navigation. Fourth—to cause themselves to be re-insured against any fire and marine risk on which they may have insurance; and shall have the powers and authority incident to corporations, for the uses and purposes hereinafter mentioned.*

§ 2. The capital stock of the said corporation shall be one million dollars, and may be increased to two million. 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 deem best to promote the interests of the corporation.

§ 3. The said corporation, for the purpose of carrying on a general insurance, shipping, dockage, forwarding and mercantile business, is hereby authorized and empowered to construct, repair, purchase, sell, or hire boats and vessels, of all descriptions; and may receive and transport freight of all kinds, by land or water; may import, export and transport teas and other merchandize; may purchase and sell the same, at wholesale and retail; may insure and reinsure, as aforesaid; may erect suitable buildings and docks, and buy and sell such other property as may be necessary for the successful carrying out of the aforesaid business.

§ 4. As soon as one hundred thousand dollars shall have been subscribed to the capital stock of said company, the company may proceed to organize, by the election of a board of not less than three directors, in whom and the officers they shall appoint shall be vested the powers of the corporation; and, thereafter, there shall be elected, annually, by the stockholders, a board of not less than three nor more

Term of office.

than seven directors, 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 that may occur in the board, by death or otherwise; they may, also, adopt such by-laws, for the government of said corporation and the management of its officers [?] and business, as they may think proper: *Provided*, the same shall not conflict with the constitution and laws of this state or of the United States. 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 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 a public act, and shall take effect from and after its passage.

APPROVED April 9, 1869.

In force March 30, 1869. AN ACT to incorporate the Chicago Mutual Health and Life Assurance Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* O. R. W. Lull, Robert L. Fabian, James Wadsworth, John Woodbridge, jr., A. H. Blackale, William R. Schroder and A. Bruning, their associates and successors, are created a body politic and corporate, with perpetual succession, under the name and style of "The Chicago Mutual Health and Life Assurance Company;" and, by that name, may contract and be contracted with, sue and be sued, implead and be impleaded, in any court of law and equity; hold real estate and personal property, and dispose of the same, by gift, devise, lease, sale or otherwise; receive and hold stocks, bonds and mortgages; and they and their successors shall have a common seal, and may alter and change the same at their discretion, and make such rules, regulations and by-laws, and may change the same, as may be necessary for the government and for the management of the business of the corporation hereby created.

Name and style.

Corporate powers.

Insurance powers.

§ 2. The corporation hereby created shall have power to insure lives, grant endowments, purchase and grant legacies, and issue health policies, assuring to the insured an agreed weekly stipend, during his or her disability by illness.

§ 8. The principal office of the Chicago Mutual Health and Life Assurance Company shall be [in] the city of Chicago; but the said corporation is empowered to establish agencies or branch offices in this or other states or territories of the United States, as may be deemed expedient or proper by the board of directors of said corporation hereby created.

Place of doing business.

§ 4. The real and personal estate, property, funds, revenues, and other concerns of the said Chicago Mutual Health and Life Assurance Company, shall be under the direction of a board of seven directors—the corporators named in this act constituting that board for the first year—and thereafter shall be elected annually, by ballot, each shareholder having a vote for each share of stock of which he shall be the owner at the date of such election. Said board shall serve until their successors are qualified, and shall elect a president, vice president, treasurer and general manager, who shall be chosen from the directors, and a secretary, who may be chosen in like manner, or otherwise, at the discretion of the board. Vacancies, by death, resignation or inability to serve, shall be filled by the remaining directors, for the unexpired term of such vacancy.

Management.

Board of directors.

§ 5. The directors shall determine the rates of insurance and the sums to be insured, and shall invest the same as hereinafter prescribed.

Insurance rates.

§ 6. The whole of the premiums received for insurance, except such as shall be requisite for its immediate accommodation in the convenient transaction of its business, may be invested in United States bonds, bonds of the state of Illinois, or the city of Chicago, at their current value, and in bonds secured by mortgages on unincumbered improved real estate within this state; the real estate to secure such investment shall, in every case, be worth twice the amount loaned thereon.

Surplus funds.

§ 7. The corporators named in this act, or a majority of them, may, upon giving ten days' notice in one of the daily papers of Chicago, open books of subscription to the stock of said corporation, which shall not be less than (\$100,000) one hundred thousand dollars, and divided into shares of one hundred dollars each; and whenever that amount shall have been subscribed and five per cent. paid in, the organization may be perfected under this act; the remaining ninety-five per cent. shall be subject to call by the directors and secured to the corporation by such notes or other securities as may be satisfactory to the board of directors: *Provided, always*, that the directors shall have the power, in case of the death or other circumstances of an indorser or maker of a note, rendering the same unsatisfactory, or by the depreciation in the value of any securities given as above, to demand from the party giving such note or security, or his legal representative, good and ample securities,

Open books for subscription.

in place of the above; and the failure to comply with the above demand, by the directors, shall empower them, after ten days notice in one of the daily papers of Chicago, to declare canceled, and they shall cancel the stock issued or agreed to be issued for such depreciated or unsatisfactory security.

Annual financial statement.

§ 8. The board of directors shall publish, annually, a statement of the affairs of the corporation, embracing the assets and liabilities of the company; and they shall determine or estimate the profits or gains, if any there be, for the year closing with their report.

Profits divided.

§ 9. The profits of the business of this corporation, hereby created, shall be divided—two thirds of [to] the stockholders and one-third to the insurers; but no cash dividend shall be made until the stock notes are paid in full, and no dividend paid to an insurer unless he have been for three years a member or insurer in the said corporation.

When act to be void.

§ 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 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 taken and considered a public act, and shall become a law immediately on its passage.

APPROVED March 30, 1869.

In force June 19, 1869.

AN ACT to incorporate the Galena Life Insurance Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That there is hereby established, in the city of Galena, in said state, an insurance company, to be called and known by the name of

Name and style.

"The Galena Life Insurance Company," with a capital stock of not less than one hundred thousand dollars, divided into shares of one hundred dollars each, and which may be increased to any amount, by accumulation of funds received in the business of life insurance, as the board of directors may hereafter determine.

Corporators.

§ 2. That Lucreus S. Felt, Charles L. Stephenson, John A. Burrichter, Stewart Crawford, George Sander, Cephas Foster and Alonzo L. Cummings, or any three of them, are hereby authorized to open books for subscription to the capital stock of said company in said city, at such time and place as they may think proper, after giving ten days' notice of the same in either of the city newspapers. Said

To open books for subscription.

books shall be kept open until one hundred thousand dollars have been subscribed, when the same may be closed. And the subscribers to said stock may meet, after three days' notice, and elect ten directors of their own number, which directors may elect from their own number a president, vice president and treasurer, and appoint a secretary and other officers, from those who are or are not directors or stockholders of said company; and the said directors shall hold their said office until their successors are duly elected and qualified.

§ 3. The subscribers to the said stock, their associates, successors and assigns, shall be and they are hereby constituted a body politic and corporate, by the name and style of "The Galena Life Insurance Company;" and, by that name, shall be capable in law of contracting and being contracted with, of suing and being sued, of pleading and being impleaded, answering and being answered unto, defending and being defended against, in all suits in law or equity, in all courts and places whatsoever. Corporate powers.

§ 4. Said corporation may have and use a common seal, which they may change at pleasure; and the directors may make, establish and ordain such by-laws, rates and tables of premium and annuities, ordinances and regulations, as shall in their opinion, be for the interest of said corporation, which shall not be repugnant to the constitution and laws of the United States and of this state. General powers.

§ 5. Said corporation shall have full power and authority, and is hereby required, to collect the subscriptions on stock as follows: At the time of subscribing there shall be paid on each share subscribed three dollars, in cash, out of which current expenses of obtaining subscriptions shall first be paid, and the balance due on each share shall be subject to the call of the directors; and the said directors shall call in and receive and invest in bonds and mortgages on real estate, worth at least double the amount in cash for which the same is thus pledged, or in stocks of this state or of the United States, at least fifty thousand dollars of said capital stock, before they shall take any risk on life or otherwise or shall issue any policy of life insurance; but when said sum of fifty thousand dollars is so called in and invested and the remaining sum of fifty thousand dollars of stock is secured to the satisfaction of said directors, making in all one hundred thousand dollars of capital stock paid and secured, said corporation may exercise all the rights, powers and privileges herein granted. Pay subscriptions by installments.

§ 6. 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, guarantor, or by ties of blood or affinity; to grant, sell May insure.

or make and contract for annuities or endowments; and to do all other acts and things necessary or incidental to the transaction of a life insurance and annuity business, and to loan their surplus or unemployed capital or money, on personal or real estate, state and United States bonds and other securities, at such rates of interest as said directors may agree, not exceeding the legal rate, payable annually, semi-annually or quarterly or in advance; they may, also, cause themselves to be re-insured against loss upon any or all their risks, and also to insure their own property or interests against loss.

Married women
may be insured.

§ 7. It shall be lawful for any married woman, by herself and in her name, or otherwise, to cause to be insured for her sole use the life of her husband, and also the husband to insure his own life, for the benefit of his wife or for the benefit of his wife and children, when the premium so paid down does not exceed five hundred dollars per annum; which premium may be paid by or from the estate or funds of the said husband; and on the death of the said husband the amount of said policy shall be payable to said wife or wife and children, as may be specified in said policy, free from the claims of the representations of the husband or of any of his creditors, other than this corporation. In case of the death of those for whose benefit said policy may be taken before the death of the assured, the amount of said policy shall be paid to the legal representatives of those for whose benefit said policy was taken, or, if infants, to their legal guardians.

Management.

Board of directors.

§ 8. Said corporation shall be under the control of a board of ten directors, who shall be elected by the stockholders, annually, on the first Tuesday of January, in each year. The first organization, of which election and the time and place of holding the same, notice shall be given to each stockholder, personally or by mailing such notice to his post office address, five days before said election. Said board shall have power to fill vacancies which may occur, at any time—the appointed to hold his appointment until the next election. Each share of stock shall be entitled to one vote, which may be cast in person or by proxy. In case any annual election should not be held on the day designated, no forfeiture or legal disability shall be thereby incurred. The board in office at the time shall hold over until their successors are duly elected and qualified, and may call an election, at any time, giving the same notice of the time and place as above specified for the annual election. A majority of said directors shall be a legal quorum for business.

Term of office.

May hold and
convey real es-
tate.

§ 9. Said corporation may purchase and hold or convey such real estate as may be necessary for the transaction of their business; also such as may be necessary in the collec-

tion of debts due said corporation, or such as may be pledged for the payment of debts due said corporation.

§ 10. The stock of said corporation shall be deemed and held as personal property, and transferable as such, under such rules and regulations as the board of directors may determine; but no transfer shall be valid until the person to whom said stock shall be transferred shall comply with the rules of the company, in full, in relation to said transfer and also security for the unpaid portion of said stock.

Stock deemed personal property and transferable.

§ 11. All policies of insurance issued by said corporation shall be signed by the president (or vice president, acting as president,) and the secretary of said company, and registered in the books of said company. And all losses arising under said policies shall be paid by said company on or before the expiration of ninety days after due proof of loss furnished said company, at their home office, in Galena, Illinois.

Policies signed.

§ 12. Stockholders in said company shall be individually liable to the extent of their subscribed stock, but no further; and whenever said stock shall have been paid, in full, no further liability shall attach to the holders of said stock; but in case said capital stock be diminished, by losses, below the amount of stock originally subscribed, no dividend shall be declared until said amount, as originally subscribed, shall be made good by additional subscription of stock or the accumulated profits of the business.

Liability of stockholders.

§ 13. Whenever the net surplus receipts of the corporation, over their losses and expenses and of providing for their assumed risks, be sufficient for the purpose, the stockholders shall be entitled to a dividend, not exceeding seven per cent. per annum—which dividend may be made semi-annually; and in case any year shall pass without a dividend, it may be made up in any subsequent year, when the net resources of the company shall be sufficient for paying the same.

Profits.
Dividends.

§ 14. At the expiration of five years from the time of the organization of this company, and at the expiration of each and every year thereafter, after providing for risks and a fund for re-insuring all outstanding policies, at their increased rate, according to age, &c., as well as for all losses, incidental expenses and dividends, as aforesaid, the board of directors shall set apart at least seventy-five per cent. of the entire net surplus income of said company, as estimated by them, for the benefit of each policy holder who has insurance in said company, at the regular rates of mutual insurance fixed by the board of directors, according to the published tables of said company, which seventy five per cent. may be either added to the value of the policy or refunded, as a credit on his annual premiums, as shall be preferred by the holder of said policy; but those who insure on the stock plan, or lower than the mutual rates published by

Fund set apart for benefit of insured.

said company, shall not be entitled to any dividend on said net surplus; and the remaining twenty-five per cent. of net surplus may be divided among the stockholders as an extra dividend, or retained as a surplus fund, or be added to the stock of said company and certificates of stock issue therefor.

Place of business.

§ 15. The business of said company shall be carried on at Galena, Illinois, with such agencies elsewhere as may be ordered by the board of directors.

When act to be void.

§ 16. This charter shall be void and of no effect, unless organization under the same be instituted within two years after the passage of this act. This act shall take effect and be in force from and after its passage, and shall continue in force perpetually, but may be amended or altered, at the request of the directors, by the legislature of the state of Illinois.

§ 17. This act shall be and is hereby declared to be a public act, and the same shall be construed liberally for the purpose herein granted.

APPROVED March 15, 1869.

In force April 9, 1869. AN ACT to incorporate the Home Protection Company of the city of Champaign, Illinois.

Corporators.

Name and style.

Corporate powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That D. M. Vance, J. S. Wright, J. W. Kelly, B. Burroughs and J. H. Shreve, and their successors, associates and assigns, be and are hereby created a body corporate and politic, with perpetual succession, by the name and style of "The Home Protection Company of the City of Champaign;" and, by that name, they and their successors and assigns shall be capable, in law and equity, of contracting and being contracted with, suing and being sued, and of defending and being defended, in all courts and places; and shall have power to do all things necessary to be done to protect and defend their corporate rights; and may have and use a common seal, and may make by-laws, rules and regulations, not inconsistent with the constitution and laws of this state or of the United States, for the regulation of its business and affairs; and shall have power to appoint agents, and to issue certificates of protection and subscription to its subscribers, in the manner and for the purposes hereinafter specified.*

Amount capital stock.

§ 2. The capital stock of said company shall not exceed the sum of one hundred thousand dollars; and the said capital stock shall be made up by subscription, and divided into shares, each share not to be for a less sum than five

nor more than twenty-five dollars; but any person may subscribe for any number of shares, allowed in the discretion of the company, to be determined by its by-laws, rules and regulations.

§ 3. The said company shall have power to require the full payment of subscription to its stock, at the time of subscribing, or may, in its discretion, apportion the payment to be made by its subscribers into installments. Stockholders to pay in full.

§ 4. That said company shall have power to divide its subscribers into classes, according to their ages, and such subscribers shall belong to the class in which his or her age may fall. Classes.

§ 5. The said company shall have power to issue certificates of membership in said company, and that, by virtue of such certificate, the holder thereof, at any given age, to be agreed on, shall receive to himself or assigns such an amount of money as may be agreed upon and specified in his said certificate, in conformity with the by-laws and rules of said company; but if it shall be agreed by any subscriber and the company that the sum specified in such certificate shall be paid at the death of such subscriber, then it shall be specified in such certificate to whom the money therein named shall be paid; but each class shall be solely liable for the payment of all certificates belonging to its class. Certificate of membership.

§ 6. The said company shall have power, by its rules and by-laws, to provide for calls and assessments upon its subscribers, to meet its obligations and to discharge and pay the amounts due on its certificates as they mature, but no assessment shall be made on any class of subscribers to meet and pay the liabilities accruing from certificates in any other class, it being the intention for each class of subscribers to pay all certificates belonging to such class; but for the ordinary incidental expenses of carrying on such company, all of its subscribers may be assessed. By-laws for its government.

§ 7. The officers of said company shall be a president and vice-president, treasurer, secretary, and board of not less than five nor more than ten directors, to be regulated by the by-laws of such company; and all such officers shall be elected once every year, in such manner as shall be ordered by the company. Appointment of officers.

§ 8. The persons named in the first section of this act shall constitute the first board of directors, and from their number they shall choose a president, vice-president, treasurer and secretary, who shall hold their offices for one year; and the treasurer of such company shall give a good and sufficient bond for the faithful performance of his duty—the amount of the bond and the securities required to be determined by the board of directors. First board of directors.

§ 9. The principal office of said company shall be kept in the city of Champaign, Illinois, and the company shall have power to buy, loan or rent any and all such real estate Location of office.

as may be necessary for the proper management of its business. 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 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.

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

APPROVED April 9, 1869.

In force March 13, 1869. AN ACT to incorporate the Illinois Mutual Life Insurance Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Thomas W. Harris, John A. Logan, Perkins Bass, R. M. Munn, S. W. Moulton, A. C. Vandewater, F. M. Malone, John W. Bunn, T. S. Mather, T. A. Boyd, J. B. Boggs, A. C. Hensing, William H. VanEpps, H. F. Parker, Sharon Tyndale, Leonard Levett, William B. Bunn, John A. Chestnut and Henry O. Goodrich, and all other persons who may associate with them in the manner hereinafter prescribed, shall and they are hereby declared a body corporate and politic, by the name of "The Illinois Mutual Life Insurance Company," and by that name may sue and be sued, defend and be defended in all courts.

§ 2. This corporation shall have no other powers or privileges except as are expressly granted by this charter.

§ 3. This corporation hereby created shall have power to insure the lives of its respective members, and to make all and every insurance appertaining to or connected with life risk and to grant and purchase annuities. They shall have a common seal, and shall have power to make re-insurance of any risk, which they may have taken, and may make all such by-laws, not inconsistent the constitution and laws of this state, as may be deemed necessary for its officers and agents and the conduct of its business in the towns and cities of this state and of sister states, and foreign governments, as the company may deem most for its interest.

§ 4 This corporation shall have power to purchase, hold and convey real estate of the following character to-wit:

First.—Such as shall be required for its accommodation in the transaction of its business.

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

May purchase, hold and convey real estate.

Corporators.

Name and style.

Privileges.

May insure.

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 and mortgages, obtained or made for such debts.

Fifth.—Such as shall have been conveyed or donated to it to increase or secure its capital.

§ 5. Persons who may hereafter insure with this corporation, also their heirs, executors, administrators and assigns, continuing to be insured herein as hereinafter prescribed, shall thereby become members thereof during the period they shall remain insured, and no longer. Membership.

§ 6. All the corporate powers of said company shall be vested in and exercised by a board of trustees and such committees, officers and agents as they may appoint. The board of trustees shall consist of not less than thirteen members, and the members may be increased as may be provided by by-laws. They shall elect a president biennially, who shall also be a trustee and a member of this corporation. They shall have power to declare by by-laws what number of trustees less than a majority of the whole, but not less than seven, shall constitute a quorum for the transaction of business, and seven shall be a quorum for any business until otherwise provided by by-laws. The said trustees shall have power to make all such by-laws as shall be necessary and proper for the due exercise of the powers hereby granted. Corporate powers.
Board of trustees.

§ 7. The persons named in this act shall constitute the first board of trustees, and they shall meet at the city of Chicago, within three months after the passage of this act, to organize or take such preliminary steps as may be necessary for a complete organization of said company. First board of trustees.

§ 8. The said trustees shall hold their office for two years unless sooner removed according to law, and until their successors are elected and qualified as may be prescribed by by-laws, but an insurance in this company of at least one thousand dollars in amount, in case the applicant is insurable, shall be necessary to constitute a trustee; but this section shall not be construed to prevent any trustee, having resigned or served one or more terms, from being eligible to re-election. The board may fill the vacancy in their number occasioned by death, resignation or in any other manner. Term of office.

§ 9. The election of trustees shall be held in the city of Chicago, of which four weeks previous notice shall be given in one or more of the public newspapers printed in Chicago, and after the full organization of the company, the biennial meeting for the election of trustees and officers shall be held in the city of Chicago, at the office of the company, on the second Tuesday in January of each succeeding second year. Time and place of election.

- Qualification of members.** § 10. Any person may become a member of this corporation by effecting an insurance therein, but before he secures his policy, he shall pay the rates that shall be fixed upon and determined by the trustees; and no premiums so paid, shall 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 this charter.
- Insurance rates.** § 11. The trustees shall determine the rates and plans of insurance and the sums to be insured.
- Amount capital stock.** § 12. Before the organization under this act is perfected, and before any policy shall be issued, the members of this corporation, their associates and others, shall have subscribed, by application for insurance therein, a sum in the aggregate of two hundred thousand dollars, and have paid, in cash the sum of ten thousand dollars, or in lien thereof, a sum equal in the aggregate of the amount of the first premium on the two hundred thousand dollars so subscribed.
- Investment of funds.** § 13. It shall be lawful for the said corporation to invest the said premium in the securities designated in the following sections, and to sell and transfer and change the same, and re-invest the funds of said corporation when and in the manner trustees shall deem expedient.
- Losses and expenses.** § 14. The whole premiums received for insurance by said corporation, except so much thereof as may be necessary to meet losses and current expenses, shall be invested in bonds secured by mortgage on unincumbered real estate, or in public stocks of the United States or of any incorporated city in this state, or in any public stocks of this state, as the trustees may deem most safe and expedient. The real estate or property to secure such investments of capital, shall in every case be worth twice the amount loaned thereon.
- Suits instituted.** § 15. Suits at law may be maintained against any of its members for any legal cause relating to the business of the corporation, and suits at law may be maintained and prosecuted against said corporation for loss by death, if payment is withheld for more than three months after due notice of such loss, and no member of such corporation shall be barred his testimony as a witness in any such case on account of interest in such suit, or of his being a member of such corporation.
- Manner of doing business.** § 16. The officers of this company may cause balances to be struck of the affairs of the company, annually, semi-annually, or once in two, three or five years, as the board of trustees may determine, and shall credit each member with an equitable share of the profits of said company, and in case of the death of a party whose life is insured, the amount standing to his credit at the last preceding striking of balances as aforesaid, shall be paid over to the person entitled to receive the same. The dividend of profits when so made, as aforesaid, may, at the option of each member

entitled thereto, and with the consent of the trustees, be appropriated to the purchase of additional insurance, or in reduction of or toward the payment of annual premiums, or credited to the insured, to be paid over at the decease of the insured, to the person entitled to receive it in the name and upon the conditions of his policy. Any member may forfeit his right to share the profits by omitting to pay his premium, or any portion thereof, when due, according to the conditions and terms of his policy. No member except an officer of the company or an agent thereof, shall be personally liable for losses of the company, and such officer or agent shall not be liable except for losses arising from his own misconduct. Any officer or agent or trustee who shall have been convicted of having abstracted or taken any money or evidence of debt or property belonging to this corporation, without due authority or permission from his superior officer, shall be guilty of a felony and shall be adjudged to pay a fine in a sum not exceeding five times the amount or value of the property so abstracted or taken, in addition to any other penalty imposed in such case by any laws of this state.

Profits.

Embezzlement.

§ 17. The salaries and compensation of the president and other officers and agents of the company shall be fixed and regulated by the board of trustees; and in the month of January of each and every year, and the January next following, the officers of the 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 any member of the company, during the hours of business, for a term of thirty days thereafter. Such statements shall contain—

Compensation of officers.

First.—The amount of premiums received during the year last past.

Premiums.

Second.—The amount of expenses of the company during that period.

Expenses.

Third.—The amount of losses of the company during said period.

Losses.

Fourth.—The balance remaining with the company.

Balance on hand

Fifth.—The nature of the security on which the same is invested or loaned, and the amount of cash on hand; and in other respects shall make such statement and report as the laws of this state in such cases may, from time to time, require.

Security for loans.

§ 18. The trustees may purchase, for the benefit of the company, all policies of insurance or other obligations issued by this company.

May purchase policies.

§ 19. 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 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,

Married women.

Children. the sum or net amount of insurance becoming due, and payable by the terms of insurance, shall be payable to her, to and for her own use, free from the claims of the representatives of her husband, or any of his creditors. In case of the death of the wife before the decease of her husband, the amount of the insurance may be payable after the death to her children by him, for their use, if of age, and to their guardian if under age.

Act perpetual. § 20. This act shall be perpetual, but the legislature may, at any time, alter or amend the same upon application of said trustees.

§ 21. This act is hereby declared a public act, and shall take effect on and after its passage.

APPROVED March 13, 1869.

In force March 25, 1869. AN ACT to incorporate the Laboring Man's Life Insurance Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Hiram Nance, Laurise P. Hilliard, William Potter, Nathan H. Knapp, John T. Ladd, Stephen A. Hilliard, Charles P. Wilson, Orin O. Wilkinson and William B. Robinson, be and they, and all persons who may become members, are hereby incorporated as a body politic and corporate, by the Name and style. name and style of "The Laboring Man's Life Insurance Company," for the purpose of carrying on the business of life insurance in Kewanee, Henry county, Illinois, with the Corporate powers. right to establish offices at such other places as they may see fit, and shall and may have perpetual succession, and shall be capable in law of contracting and being contracted with, and of suing and being sued, pleading and being impleaded, answering and being answered unto, in all courts whatever, either in law or in equity, in this state or elsewhere; and they and their successors shall and may have a common seal, and may change, break or alter the same at pleasure; and may also, from time to time, at any meeting of the directors, by a majority vote, as hereinafter provided, ordain, establish and put in execution such by-laws, ordinances, rules and regulations (the same not being contrary to this act, or to the laws of this state or the United States) as may appear to them necessary or expedient for the management and conducting of the business and affairs, and may from time to time, at any meeting of the directors, or any of them, and shall and may have full power of acquiring, by purchase, lease, mortgage, or otherwise, and of holding, absolutely or conditionally, real estate, interests, real or immovable estate, and the same to sell, alienate, let, release,

transfer or dispose of, as to them may seem expedient: *Provided, always*, that nothing herein contained shall be considered as permission to hold any real estate beyond what may be necessary to the said corporation to hold for its own immediate accommodation, in relation to the convenient transaction of its business, or such as shall have been *bona fide* mortgaged to it by way of security, or conveyed to it in satisfaction of debts previously contracted in the course of its dealings, or purchased at sales upon judgment which shall have been obtained for such debts: *And provided, also*, that it shall not be lawful for the said corporation to deal or use or employ any part of the stock, funds or money thereof in buying or selling any goods, wares or merchandise; but it shall be lawful, nevertheless, for the said corporation to purchase and hold for the purpose of investing therein any part of their funds or money, in any of the public securities of this state or of the United States, the stocks of any of the banks, or other chartered companies, and the bonds or debentures of any of the incorporated cities or towns or municipal divisions, and also sell and transfer the same: *And provided, further*, that the said corporation shall be bound to sell or dispose of any real estate so purchased or conveyed to them (except such as may be necessary, as aforesaid, for the convenient transaction of their business) within five years after acquiring the same.

§ 2 The capital stock of the said corporation shall, until otherwise determined by the board of directors for the time being, consist of the sum of five hundred thousand dollars, which may be increased at any time, by a resolution of the board of directors, to a sum not exceeding double the above amount, the same to be divided into shares of one hundred dollars each, certificates to be issued therefor as the directors shall determine; and all subscription to the said capital stock shall be paid to the company in such installments and at such time and place as the directors shall appoint, after thirty days' notice, given by circular letter, addressed through the post office, to the subscriber or subscribers, shareholder or shareholders; and if any shareholder or subscriber, for the space of ten days next ensuing after the expiration of the thirty days, shall neglect or refuse to pay his ratable share, it shall be lawful for the directors to declare the share or shares of such shareholder forfeited to the company, and all previous payment made upon such share or shares; and such forfeited stock may be sold at public sale by the directors, after giving notice as they may direct.

§ 3 As soon as the one thousand shares of the capital stock shall have been subscribed, and twenty per cent. of the same, in cash, having in good faith first been paid into the treasury of said company, as the directors shall pre-

scribe, then the said corporation shall have power and legal authority to make contracts of assurance with any person or persons, bodies politic or corporate, upon life or lives, to grant or sell annuities, either for life or otherwise, and on survivorship, and to purchase annuities; to grant endowments for children or other persons; and, generally, to enter into any transaction dependent upon the contingency of life, including reinsurance or reinsurance: *Provided, however*, that said company may issue policies of insurance on the mutual contribution plan, when ten per cent. of the capital stock subscribed has actually been paid up in cash.

Management.

Board of directors.

§ 4. The business of said corporation shall be conducted by a board of six directors, one of whom shall be chosen president, one vice-president, and a finance committee of three, all to serve for one year or until their successors be chosen.

Annual meetings.

§ 5. The annual meeting of the shareholders of the company shall be held at the office of the company on the first Monday in April, in each and every year, and at such meetings the three directors whose names stand first on the secretary's list of directors shall be held to vacate their seats, but shall be eligible to reelection; and the shareholders present shall proceed to elect, by ballot, three shareholders, to serve as directors for the ensuing year, who shall upon election be placed at the bottom of the roll or list of directors; and to render a shareholder eligible to the office of director, he shall hold in his own name not less than ten shares of stock of the said corporation.

Vote of members.

§ 6. At the annual meeting and all special meetings of the corporation, each shareholder of the corporation shall be entitled to cast one vote for every share he, she or they may hold; and every question shall be decided by a majority of the votes cast. Absent members may vote by proxy.

Quorum to do business.

§ 7. Sixty shares of stock, represented at annual or special meeting of the corporation, shall constitute a quorum for doing business: *Provided*, six or more of the shareholders shall be present at such meeting.

Adjournment.

§ 8. Every meeting of the stockholders may be adjourned, from time to time, and no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which said adjournment took place: *Provided, always*, that it shall and may be lawful for the directors to submit at any meeting, whether ordinary or extraordinary, the written regulations agreed upon by the directors.

Vacancies.

§ 9. If any director of the said company die, resign or become disqualified or incompetent to act as a director, or cease to be a director by any other cause than that of going out of office by rotation, as aforesaid, the remaining directors, if they think proper so to do, may elect in his place

any stockholder duly qualified to be a director; and the stockholder so elected to fill any such vacancy, shall continue in office until the first yearly meeting after such vacancy; and the stockholders then present shall elect a new director, who shall hold office for the same period as a director would have done, whose death, resignation or disqualification caused the vacancy.

§ 10. And with respect to the exercise of the powers of the company, *Be it enacted*, that the directors shall have the management and superintendence of the affairs of the company, and they may lawfully exercise all the powers of the company; and amongst other powers to be exercised by the directors, they may use and affix or cause to be used or affixed, the seal of the company to any document or paper which, in their judgment, may require the same; they may fix the salaries of all officers; they may make and enforce the calls upon the shares of the respective stockholders; they may declare the forfeiture of all shares on which such calls are not duly paid; they may appoint the time and place of holding regular and special meetings; they may allot and divide among the assures, upon the participation plan, so much of the profits realized from that branch, and at such times as they shall think fit; and may also declare and cause to be paid and distributed to the respective stockholders any dividend or dividends of profits, in proportion to the shares held by them, at such times and seasons as they shall think proper, or add the same to the paid up portion of the capital stock; they may make any payments and enter into all contracts for the execution of the purposes of the company, and do and perform all other matters and things necessary for the transaction of its own affairs; they may generally deal with, treat, sell and dispose of and exercise all other acts of ownership over the lands, property and effects of the said company, for the time being, in such manner as they shall deem expedient and conducive to the benefit of the company; they may, from time to time, appoint and displace such officers, agents or servants as they shall deem requisite for the management and care of the property and affairs or the efficient exercise of the powers of the said company; they may make by-laws for the regulation of the affairs of the company; but all the powers so to be exercised shall be exercised in accordance with and subject to the provisions of this act, in that behalf, and the exercise of all such powers shall be subject also to the control and regulation of any general meeting specially convened for the purpose, but not so as to render invalid any act done by the directors prior to any resolution passed by such general meeting.

Directors to manage affairs.

Dividends.

Appoint and displace officers.

§ 11. All policies, contracts, securities and deeds of the company shall be signed by the president, or, in his ab-

Official signatures.

sence, the vice-president, and by the secretary, and sealed with the company's seal.

Monthly meetings of directors

§ 12. The directors shall hold regular meetings at the office of the company on the first Monday in each month, and special meetings of the board may be convened by the call of the president and secretary, at any time, and four directors present shall be necessary to constitute a quorum for the transaction of business; and all questions shall be determined by a majority vote. The president, or in his absence, the vice-president, or in his absence, the chairman of the finance committee shall preside at all meetings of the board of directors.

Stock transferable.

§ 13. The shares of the capital stock shall be transferable, and may be, from time to time, transferred by the respective persons so subscribing or holding the same: *Provided, always*, that no such transfer shall be valid until sanctioned and approved by the transfer agent appointed by the directors and duly registered in a book or books, to be kept for that purpose by the transfer agent: *And provided, also*, that after any call has been duly made, as aforesaid, no person shall be entitled to sell or transfer any share he may possess until he shall have paid all calls for the time being due on any share held by him.

Actions for arrears.

§ 14. In all actions or suits for the recovery of arrears or calls, it shall be sufficient for the company [to] allege that the defendant, being an owner of said share, is indebted to the said company in such sums of money as the calls in arrears amount to for such and so many shares whereby an action hath accrued to the said company by virtue of this act; and on the trial it shall only be necessary to prove that the defendant was owner of such shares in the undertaking, and that such calls were in fact made, and that notice was given as directed by this act; and it shall not be necessary to prove the appointment of the directors who made such calls, nor any matter whatsoever.

Annual statement.

§ 15. The directors shall cause to be yearly prepared a statement, sworn to by the president and secretary of said company, and submitted to the stockholders at the regular meeting, a full and correct statement of the accounts of the said company, the receipts and expenditures of the past year, the number of policies issued, the amount covered by policies in force, together with a general abstract of the estimated liabilities and assets of the company, a copy of which statement, under the hands of the finance committee, shall be transmitted to every shareholder, and to the several branches of the legislature.

Competency of witnesses.

§ 16. In all actions, suits and prosecutions in which the said company may be at any time engaged, the secretary, or other officer of the said company, shall be a competent witness, notwithstanding any interest he may have therein.

§ 17. Unless the said company shall be organized within Organization.
two years from the passage of this act, then this act shall be Limit of time.
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.

§ 18. This act is hereby declared to be a public act, and shall be liberally construed for every purpose herein contained, and be in force from and after its passage.

APPROVED March 25, 1869.

AN ACT to incorporate the Lincoln Life Insurance Company.

In force March
29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Norman Corporators.
B. Judd, J. Young Scammon, Mark Skinner, Chauncey T. Bowen, John L. Thompson, Andrew Jackson, John D. Catton, Benjamin V. Page, Robert T. Lincoln, Mahlon D. Ogden, James Harlan, Isaac N. Arnold, George W. Smith, and George F. Root, 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 Lincoln Life Insurance Company," and, by that name, shall be and hereby Name and style.
are empowered to purchase, have, hold, possess and enjoy, General powers.
by themselves, their 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 purpose of its business, unless the same shall be acquired for debts due or liabilities to 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: *Provided*, the same can be sold without loss. In case of any loss which the company may sustain, under any policy issued by it, or other evidence of its indebtedness or liability, it shall be lawful for said company to draw upon any funds for the payment thereof which may stand to this company's credit, and, also, to make advances upon orders where moneys may be placed to its credit.

Management.

Board of directors.

Term of office.

Vacancy.

§ Rules and regulations.

Contracts for insurance.

Organization.

§ 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, said directors shall be elected by ballot, by and from the stockholders of said company. They shall hold their offices, respectively, for the terms of one, two and three years, and until others shall be elected or chosen to fill their places—that is to say one-third of said directors shall be chosen for one year, one-third for two years, and one-third for three years. In case of a vacancy, by death or 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 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 fourth Monday of October, of each and every year. Six stockholders, representing, either by ownership or proxy, one-half of the capital stock of the company, shall constitute a quorum for transacting business.

§ 3. At any time, within two years from and after the passage of this act, 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, 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.

§ 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. Who entitled to vote.

§ 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. Shares transferable.

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

§ 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. Certificates of stock.

§ 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 or 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 reinvested 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. Losses paid.

§ 9. No insurance, to exceed ten thousand dollars, shall be taken or granted on any one life. Amount limited

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

§ 11. The charter of said company shall be so construed as to authorize said company to exercise all the powers of a life insurance company, or such as are usually exercised by such companies, and all powers conferred upon any other life insurance company in this state, and to grant, purchase and sell annuities, and to do all kinds of life insurance and to reinsure themselves against all risks they may have insured against. Re-insurance.

§ 12. 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 conferred.

No charge or
lien on capital. § 13. No trust or trusts accepted by the board of directors, as provided for in sections fourteen and fifteen 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.

Trusts separate. § 14. 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.

Banking business prohibited. § 15. Nothing in this act shall be construed to authorize the business of banking.

Act, when void. § 16. 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 life insurance companies.

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

APPROVED March 29, 1869.

In force March 26, 1869. AN ACT to incorporate the Pike County Mutual Life Insurance Company.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Chauncey L. Higbee, Benjamin F. Westlake, Daniel D. Hicks, Joseph H. Ledlie, William Ross, Jr., William Steers, Strother Grigsby, James H. Crane and Joel Pennington, 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 Pike County Mutual Life Insurance Company;" and, by this 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.

General powers. § 2. The corporation hereby created shall have the power to insure the lives of its respective members, and to make all and every insurance appertaining to or connected with life risks; the granting of endowments, and the grant and purchase [of] annuities. And all persons who shall insure with this corporation, and also their heirs, executors, administrators and assigns, shall thereby become members thereof.

Membership. § 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 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 shall be necessary to entitle any member to vote.

§ 4. All the corporate powers of 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. Trustees.

§ 5. The incorporators herein named shall constitute the first board of trustees, and shall hold their office until the first Monday in January, A. D. 1870, and until their successors are elected as hereinafter provided. On the first Monday in January, 1870, there shall be an election for nine trustees, three of whom shall be elected to hold their office for three years, three others for two years and the remaining three for one year only; and, annually thereafter, there shall be held an election for supplying the vacancies of the trustees whose terms of office then expire; and at all such elections each member having an insurance of one thousand dollars shall be entitled to one vote, and any member shall have the right to vote by proxy as well as in person; and in case of a vacancy, by death or otherwise, the board of trustees shall have power to fill such vacancy, but the person so appointed shall only hold his office until the annual election, when such vacancy shall be filled in the manner above provided. First board.

Term of office.

Vacancies,
how filled.

§ 6. The Pike County Mutual Life Insurance Company shall have a common seal; and the board of trustees shall have power to make re-insurance of any risk which they may have taken, 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 for its interest, and may make such special arrangements with its agents, for a term of years or otherwise, as may seem most beneficial for the interests of said company. Corporate powers.

§ 7. The trustees shall determine the rates of insurance and the sums to be insured, and shall invest the premiums as hereinafter prescribed. Insurance rates.

§ 8. The trustees shall elect one of their number president, annually. Election of president.

§ 9. 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. Investment of premiums.

§ 10. The whole of the net premiums received for insurance by said corporation, except as provided for in the Invest in bonds.

following section, may be invested in bonds secured by mortgages on unincumbered real estate within this state—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 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.

Powers of the trustees.

§ 11. The trustees shall have power to invest a certain portion of the premiums received, not to exceed two-thirds thereof, in interest bearing stocks of the United States or of this state, or of the Pike county, or of any township or incorporated town or city therein.

Suits instituted.

§ 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 loss by death, if payment is withheld more than three months after the company is duly notified of such loss, and no member of the corporation shall be debarred his testimony as a witness in any such cause on account of his 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.

Manner of doing business.

§ 13. The officers of said company, at the expiration of four 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 four years, shall cause a balance to be struck of the affairs of the company, and shall credit each 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. Any member who would be entitled to shares 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, from sharing in the profits of the company. No members of the company, except officers 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

Delinquents not to share in the profits.

ing by reason of their own respective neglect or misconduct.

§ 14. On some day in the first thirty days after the expiration of the first four years from the time when the said company shall issue its first policy, and within the first thirty days of every subsequent four years, the officers of said company shall cause to be made a general balance statement of the affairs of said company, which shall be extended in a book prepared for that purpose, which shall be subject to the examination of every member of the company during the usual hours for business, for the term of thirty days thereafter. Such statement shall contain: *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 the said company. *Fifth*, the nature of the security on which the same is invested or loaned, and the amount of cash on hand. The said company shall also make and transmit to the secretary of state, on the first Monday in January in each year, a full statement of its affairs, in the same or in like manner as moneyed corporations are required to do.

General balance statement.

§ 15. The operations and business of this corporation shall be carried on in the town of Pittsfield, in Pike county, Illinois, at such place as the trustees shall direct, so far as the same can be done at the principal office.

Place of business.

§ 16. 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 the said company, which may become payable by reason of death within ninety days thereafter: *Provided*, proof of death having first been made to the said trustees.

Special powers.

§ 17. 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 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.

Organization.

§ 18. 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, 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

Married women may insure husbands.

the amount of premium annually paid shall exceed three hundred dollars. In case of the death of the wife before the decease of the husband, the amount of the insurance may be made payable after death to her children, for their use, and to their guardian, if under age.

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

APPROVED March 26, 1869.

In force March 27, 1869. AN ACT to incorporate the Republic Life Insurance Company of Chicago.

- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Charles B. Lawyer, William V. Kay, Randall W. Smith, John H. Avery, Edward K. Rogers, William G. Hibbard, C. B. Farwell and C. N. Shipman, and their associates, successors and assigns, be and they are hereby created a body corporate and politic, under the name and style of the "Republic Life Insurance Company of Chicago, Illinois;" and by that name shall have and enjoy all the rights, privileges and immunities which are necessary to accomplish the purposes of this act, and be recognized in all courts of justice and equity in the state, for the term of fifty years from and after the passage of this act: *Provided*, that if the corporation created by this act shall not organize within one year from the passage thereof, then this shall become null and void.
- Corporators. Name and style. Duration of corporation. Amount capital stock. § 2. The capital stock of said corporation shall be five hundred thousand dollars, and may be increased at the discretion of a majority of the stockholders, whose stock shall be represented at any annual meeting, and shall be divided into shares of one hundred dollars each, which shall be assignable and transferable only on the books of the company, under such directions as the directors may establish.
- Organization. § 3. When the said parties and their associates shall have subscribed one hundred thousand dollars, and shall have paid in five dollars on each share as a company fund, and organized by choosing three or more directors, and those directors shall have chosen one of their number president, and appointed a secretary and treasurer and filed a certificate of the same under the seal of the company, signed by the secretary and president in the office of the secretary of state, it shall be deemed fully organized and enjoy all the powers herein conferred.
- By-laws, rules and regulations. § 4. Said corporation shall have power to make and put in operation all such by-laws and regulations as they

may deem proper for the well ordering of its affairs: *Provided*, that they be not repugnant to the laws of the United States or of this state.

§ 5. Said corporation shall have full power and authority to take risks and make insurance on the lives of individuals, and to grant, purchase or dispose of annuities and to do all other acts and things necessary and incident to the transaction of a life insurance business, either upon the stock or mutual plan, or both; and to loan their surplus or unemployed capital or money, on personal, real or other securities, at such rates of interest as may be done under existing laws of the state, or invest the same in United States' bonds; and to purchase such real estate and erect such buildings as may be necessary and convenient for the transaction of their business.

Issue of policies

§ 6. The real and personal property of each individual stockholder shall be held liable for any and all losses and liabilities of the company, to the amount of stock subscribed or held by him and not actually paid in. In all cases of losses exceeding the means of the corporation, each stockholder shall be held liable to the amount of unpaid stock held by him.

Stockholders held responsible for debts.

§ 7. The business of the company shall be carried on in the city of Chicago, and elsewhere by agencies, as the directors shall direct.

Place of business.

§ 8. The stock and affairs of said corporation shall be managed by three or more directors, who shall be stockholders of said corporation. They shall, after the first year, be elected annually, and shall hold their offices until others shall be chosen to supply their places. Ten days' notice shall be given of each election to each stockholder, by public advertisement or personal notice, and shall be made by ballot by the majority of stock, allowing one vote for each share, either by person or proxy, and in case of the death or resignation of the president or any director, the vacancy may be filled by the board of directors or by election of the stockholders, due notice being given.

Management.

Board of directors.

Election of officers.

§ 9. This act shall be deemed a public act, and shall be construed liberally for the purposes herein granted, and shall take effect and be in force from and after its passage.

APPROVED March 27, 1869.

AN ACT to incorporate the Rockford Life Insurance Company.

In force March 31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Good-* Corporators.
year A. Sanford, Worcester A. Dickerman, Robert P. Lane,

Ralph Emerson, George W. Reynolds, William Watson, Edward H. Griggs, Seldon M. Church, William Brown, Charles Williams, 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 Rockford 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 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 said company. Annual elections of the said company shall be held on the first Monday of January, at the office of the company. 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 is 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. They may also appoint, from time to time, a secretary and such other officers and agents as they may choose, and upon such terms as may be agreed. The duties of officers and agents shall be prescribed by the by-laws of the company.

§ 4. The company's home office shall be in the city of Rockford, Winnebago county, Illinois, but its business may be transacted at any other place by agency.

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

§ 6. The capital stock of said company shall not be less than one hundred thousand dollars, and may be increased to five hundred thousand dollars or less, whenever the directors may so determine. Said stock shall be transferable on the books of the said company and not otherwise: *Provided*, that at least twenty-five 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, or by such other securities as may appear desirable to the board of directors.

§ 7. Books of subscription to the stock of the said company may be opened by direction of a majority of the persons named in the first section of this act. Open books for subscription.

§ 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 reinvest 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. Issue of policies

§ 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. Payments in installments.

§ 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. Insurance rates.

§ 11. 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. This act shall be subject to any general law of this state on the subject of insurance or insurance companies, and shall not be construed to authorize said company to engage in the banking business. Unless said company shall organize and proceed to business within two years from the passage of this act, then this act shall be void. Stockholders' non-liability.

§ 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. Banking business prohibited.

APPROVED March 31, 1869.

In force March 26, 1869. AN ACT to incorporate the Safety Deposit Life Insurance Company of Chicago.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John F. Smith, of Freeport, James W. Eddy, of Batavia, L. D. Brady, of Aurora, Wm. F. Brewster, of Chicago, and Jesse K. Dubois, of Springfield, in the state of Illinois, and all others who may associate with them as subscribers to the capital stock, shall be and hereby are declared to be a body corporate and politic, for the purpose of insuring sound lives and granting of endowments or annuities, by the name of the "Safety Deposit Life Insurance Company of Chicago," and by that name they, their associates, successors or assigns shall be and hereby are forever hereafter made to be capable in law to sue and be sued, and recognized in any and all courts, and hereby are possessed of full power and authority to make and execute and put in execution all such by-laws and regulations as may be deemed necessary by the board of directors in conformity to law and the act or acts which may be passed regulating the business of life insurance, or now in force, respecting the conduct of the affairs of life insurance companies in this state.

§ 2. For the full security of all policy holders insured there shall be deposited the full value of all outstanding policies, said deposit to be made in the corporate name of the company so depositing, and shall be made semi-annually with the state treasurer in his official capacity, and in conformity with section sixteen of the act entitled, "An act to organize and regulate the business of life insurance." Said deposits shall be made and kept inviolate so long as the risk or risks remain in force, and the deposits shall only be wholly withdrawn upon the company furnishing satisfactory evidence that the risk or risks have expired or terminated by the death of the party insured or otherwise. Any violation of this section or omission on the part of the company to comply with the provisions herein contained shall work a forfeiture of its charter, and the state treasurer shall in such case at once proceed to effect, in some solvent company or companies to be designated by a majority of all policy holders in such company, a re-insurance of all risks outstanding, and all moneys remaining on hand thereafter shall be equitably divided among the stockholders.

§ 3. Jno. F. Smith, W. F. Brewster and James W. Eddy, or any two of them, are hereby declared to be authorized to open books of subscription to the capital stock as may be provided by the by-laws.

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

APPROVED March 26, 1869.

AN ACT to incorporate the Sparta Mutual Life Insurance Company. In force March 30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John E. Detrich, Robert B. Little, John M. McCutcheon, Robert J. Harmer and John Taylor, 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 Sparta 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. Corporators.

§ 2. The corporation hereby created have the power to insure lives, on the mutual plan, and all persons who shall insure with this corporation, continuing to be insured in said corporation, shall thereby become members thereof. Mutual plan.

§ 3. The persons named in section one (1) of this act, shall constitute the first board of directors, and shall hold their office until the first Monday in April, A. D. 1870, and until their successors shall have been elected as hereafter directed. On the first Monday in April, A. D. 1870, there shall be an election for five directors, and annually thereafter, and at such elections every member shall be entitled to one vote either personally or by proxy; and the said five persons who shall receive the highest number of votes shall be declared elected and shall hold office for the term of one year, and until their successors are elected: *Provided*, that none but members shall be eligible to the office of director in said company. First board of directors.

§ 4. The directors above named and their successors in office, 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 his office, and shall preside for one year or until his successor is chosen. 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. Said secretary and other subordinate officers may be required to 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. The president and two directors shall be Term of office.

competent to the transaction of business, and all questions shall be decided by a majority of votes.

Members divided in classes.

§ 5. The members of said company shall be divided into five classes, no one class to exceed one thousand persons in number, the first class to consist of members between the ages of twenty-one and thirty years, to be known as class "A;" the second class to consist of members between the ages of thirty and forty years, to be known as class "B;" the third class to consist of members between the ages of forty and fifty years, to be known as class "C;" the fourth class to consist of members between the ages of fifty and sixty years, to be known as class "D;" the fifth class to consist of members between the ages of sixty and seventy years, to be known as class "E."

Assessments of members.

§ 6. On the death of a member of said company being properly certified, the president of said company shall direct an assessment of one dollar and ten cents to be made on each member of the class of which the deceased was a member. The said directors are hereby authorized and empowered to sue for and collect each and every assessment so made: *Provided*, the same is not paid in thirty days after notice has been given of said assessment. Proof of mailing notice of assessment shall be sufficient proof of notice; when the said assessments are collected and paid in, the one dollar of each assessment so collected from each member of said class shall be paid, first, to the widow of said deceased; if there should be no widow living, then the same shall be paid to the guardian or guardians of the minor child or minor children of said deceased member, in trust, however, for said minor child or children, to be divided in equal parts between said minor children—and the remaining ten cents so collected from each member of said class, shall be retained to pay the expenses of said assessment and collecting the same.

Fees.

§ 7. The directors of said company shall at their first meeting fix the amount of the fee to be paid by each person on being admitted to membership in said company, which fee may be reduced or increased by the directors at any general meeting, but said admission fee shall not at any time exceed the sum of two dollars for each member; said admission fee shall be applied to paying expenses, fees and salaries.

May purchase and hold property.

§ 8. The said corporation shall be and is hereby empowered to purchase, have, hold, possess, enjoy to themselves and their successors, such lands, tenements, hereditaments, goods, chattels and effects as may be deemed requisite for the transaction of business.

Location of office.

§ 9. The said corporation shall have its office and conduct the business of the company at the city of Sparta, in Randolph county, state of Illinois.

§ 10. Each person applying to be admitted to membership in this company, shall furnish to the president and directors of said company an affidavit of the age of said applicant, also a certificate from a regularly practicing physician that the applicant is of average health and physical soundness. Certificate for admission.

§ 11. All certificates of membership shall be signed by the president and secretary. Who may sign certificate.

§ 12. The president and directors shall have power to adopt such by-laws as may be necessary to promote the interests of said company, according to the laws of this state and of the United States. To establish by-laws and regulations.

§ 13. The said company may use a seal which they may alter and change at pleasure. Corporate seal.

§ 14. 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 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. Act, when void.

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

APPROVED March 30, 1869.

AN ACT to incorporate the State Mutual Life Insurance Company, of Illinois. In force March 13, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Robert P. Lane, William Shephard, James C. Mayberry, John J. Mitchell, Goodyear A. Sanford, John Williams and Thomas U. Harris shall be and they are hereby constituted a body politic and corporate, with perpetual succession, under the name and style of "The State Mutual Life Insurance Company, of Illinois;" 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; and they may have a common seal, and the same may alter, break or renew at pleasure. They shall be capable of taking, holding, investing, selling, transmitting and conveying property, both real and personal, chattels and effects of every kind, in their corporate name. Said corporation shall keep its principal office in the city of Springfield, in this state, but may establish such branch offices as they may deem expedient. Said corporation shall not have power to own or hold real estate, except what* Corporators. Name and style. Corporate powers.

may be necessary for the transaction of their business: *Provided*, they shall be authorized to purchase and hold any real estate whenever it may be necessary in the securing or collecting of any debt due them.

Objects of the corporation.

§ 2. The business of the company shall be to make insurance on the lives of individuals, and every insurance appertaining thereto, or connected with life risks, and to grant, purchase or dispose of annuities.

Mutual plan.

§ 3. The insurance business of the company shall be transacted on the mutual principle, except where, by express agreement between the company and the assured, such mutuality is waived, and policies may be issued stipulated to be with or without profits; and there shall be a guarantee capital of at least one hundred thousand dollars.

Powers of the directors

§ 4. All the corporate powers of the company shall be exercised by a board of directors, and such officers and agents as they may appoint.

Number of directors.

§ 5. The board of directors shall consist of not less than seven nor more than fifteen persons, a majority of whom shall be citizens of the state of Illinois, and each of whom shall be a proprietor of at least ten shares of the guarantee capital in his own right, or an insurer for life, paying a premium of at least two hundred dollars per annum, or entitled to an annuity of not less than two hundred dollars per annum.

First board.

§ 6. The first board of directors shall consist of the incorporators hereto, together with such other persons as they shall select, not exceeding fifteen in all, who shall possess the necessary qualifications, as above declared. This board shall divide itself by lot into three classes. The term of office of the first class shall expire at the end of one year, that of the second class at the end of two years, and that of the third class at the end of three years; and hereafter one-third of the whole number of directors shall be annually chosen, who shall hold their offices for three years, or until their successors are elected. Directors shall be re-eligible, and vacancies shall be filled by the board.

Classes.

Annual election for directors.

§ 7. The election for directors shall be held annually, during the month of March, at the principal office of the company; and the board shall give at least twenty days' notice in one newspaper published in said city, and in at least three others in the state. In case of a failure to elect on that day, the directors whose regular terms do not expire shall proceed to elect such number as may have failed of election, who shall, with them, constitute the board.

Inspectors of election.

§ 8. Every election for directors shall be by ballot, and a plurality of votes shall elect. Three inspectors for the next succeeding election shall be elected at the same time and in the same manner.

Vote of stockholders.

§ 9. Every shareholder shall be entitled to one vote for directors and inspectors, for every share of capital stock

standing in his name on the books of the company; and it shall be lawful for any member of the company possessing the right to vote to do so by proxy, duly authorized in writing, in accordance with the by-laws of the company; but no member shall be entitled to vote who is in default or arrears to the company.

§ 10. Five directors, including the president and vice-president, shall constitute a quorum for the transaction of business; but a lesser number may meet and adjourn from time to time, until a quorum shall attend.

§ 11. The board of directors shall, on the organization of the company, and annually thereafter, elect from their own number, being citizens of this state, a president and vice-president of the company, and fix a salary to be paid them.

§ 12. The board may also, from time to time, appoint a secretary, and such other officers and agents as they may deem requisite, and the same remove at pleasure, and fix their compensation.

§ 13. The board shall have power to enact by-laws, rules and regulations, for the government of the officers and agents of the company, and the conduct of its affairs, not inconsistent with the constitution and laws of this state, and such by-laws, rules and regulations to alter and repeal at pleasure. They may also appoint trustees for said company, not less than ten nor more than one hundred, who shall have and exercise such power and authority as may be given them by the board of directors, not inconsistent with the provisions of this act.

§ 14. The board may regulate the rate and amount of premiums, and the mode and manner of the payment of the same.

§ 15. The board shall possess all other powers usually vested in boards of directors, and not inconsistent with this charter and the business to be carried on under it, or the constitution and laws of this state.

§ 16. The board of directors may accept and exercise, by a vote of a majority of the whole number, any additional powers and privileges which any life insurance company may be authorized by the legislature of the state of Illinois at any time to exercise.

§ 17. The guarantee capital shall be divided into shares of fifty dollars each, which shall be personal property, transferable on the books of the company, according to law and the by-laws of the company.

§ 18. There shall be paid into the treasury of said corporation, of [by] each subscriber to said capital stock, within ten days after the organization of said company, an installment of five per cent. on the amount by him subscribed; and no policy shall be issued by said company on the life of any person, until one hundred thousand dollars

[of] the amount of the guarantee capital of said corporation shall have been subscribed, and twenty thousand dollars thereof shall have been paid into the treasury of said corporation, in cash; and the remainder of the guarantee capital subscribed for shall, within thirty days after the organization of said company, be secured to be paid by such promissory notes or other security as shall be approved by the directors of the corporation, and shall be payable in such assessments and at such times as the directors may determine.

Increase capital stock.

§ 19. The directors may at any time increase the capital stock, by subscription, until the same shall amount to one million of dollars; but before opening the books for that purpose, they shall give notice of their intention so to do, by at least one month's notice in one newspaper published in the city of Springfield, and in at least three others in the state, or with such other formalities as the law may require; and proprietors of the then existing guarantee capital shall have the preference in subscriptions for the increased capital.

Interest paid.

§ 20. The proprietors of the guarantee capital may be allowed, semi-annually, interest thereon, not exceeding ten per cent. per annum.

Payment of proportion.

§ 21. Twenty per cent. of the net profits of the company, after paying said interest, may be apportioned, *pro rata*, among the proprietors of the guarantee capital, and the remaining eighty per cent. thereof shall be apportioned, *pro rata*, among the assured insuring on the mutual principle who shall have paid an annual premium three years in succession.

Assessment of damages when losses occur.

§ 22. The said company, at the expiration of three years from the time that the first policy shall have been dated, and within thirty days thereafter, and during the first thirty days of every subsequent period of three years, shall cause a balance to be struck of the affairs of the company, in which they shall charge each holder of a policy with a proportionate share of eighty per cent. of the losses and expenses of said company, according to the amount of premiums paid on such policies, but in no case to exceed the amount of the profits thereon to his credit, and shall charge each proprietor of the guarantee capital with his proportion of twenty per cent. of the said losses and expenses. Each holder of a participating policy shall be credited with its proportionate share of eighty per cent. of the net profits of the company, as aforesaid; and in case of the death of an insured party, the amount insured, and the profits standing to his credit at the last preceding striking of balance, shall, within three months, be paid over to his legal representatives or assigns; and the proportion of profits which shall be found to belong to said policy holder at the next subsequent striking of said balance, shall be paid over to the legal representatives or assigns of such deceased

within three months after the said last-mentioned balance shall be struck—it being understood however that no fraction of a year shall be estimated in determining a right to profits.

§ 23. Each holder of the guarantee capital shall be entitled to draw whatever may appear to his credit, over and above his capital, upon striking such balance—his capital being left open for accumulation for each interval.

Entitled to draw per centage on capital.

§ 24. The dividends or earned premiums may be credited to the members of the company at the discretion of the directors, and such dividends, credits or certificates may be made due and payable at such times and in such manner as the directors, by their vote, shall determine.

Dividends, how and when declared.

§ 25. Any person insuring in the company who shall omit to pay any premium or any periodical payments due from him to the company, shall thereby forfeit to the company all claims under his policy, and all previous payments made by him.

Delinquents to forfeit all claims

§ 26. The company's fiscal year shall commence on the first day of January, and terminate on the thirty-first day of December, in each year. 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 on the subject of insurance and insurance companies.

Fiscal year.

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

APPROVED March 13, 1869.

AN ACT to incorporate the Teutonia Life Insurance Company of Chicago. In force March 15, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That John A. Huck, J. G. Gindele, Charles Ricts, Otto Mutschlechner, Charles Wenthe, Conrad Scipps, Christian Paesch, Charles Knobelsdorff, John Buehler, Fritz Metzke, John C. Miller and John Raber, and all other persons who shall, hereafter, become stockholders in the corporation hereby created, shall be a body politic and corporate, by the name and style of "The Teutonia Life Insurance Company of Chicago, Illinois," and, by such name, shall have perpetual succession as hereinafter provided, and, as such, 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 break and alter, at pleasure; hold or convey any estate, real or personal, for the use of said company, and make by-laws, not inconsistent with any existing law, for the regulation of its affairs.*

Corporators.

Name and style
Corporate powers.

Amount of 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, which said capital stock may be increased, at the will of the directors, to any amount not exceeding five hundred thousand dollars, to be subscribed and paid for in the manner hereinafter specified.

Open books for subscription.

§ 3. Books of subscription may be opened under the direction of the corporators, or any three of them. And when fifty thousand dollars of the capital stock shall have been subscribed the company may be organized, and the amount of each share shall be subject to payment upon the call of the directors, under such penalties as the board of directors may appoint and order, and shall be secured to be paid on demand, or otherwise, as the directors shall direct, by notes, hypothecated stocks, mortgages on real estate, or other satisfactory security.

Election of board of directors.

§ 4. When the sum of fifty thousand dollars is subscribed, thirteen directors shall be elected by the stockholders, and shall hold their office until the first day February, next succeeding the organization of the company and until their successors are elected. And on the first day of February, of each year, during the continuance of said corporation, an election of directors shall be held in the city of Chicago, at such hour and place as the existing board of directors may prescribe. But in case that it shall happen, at any time, that an election shall not be made on the day when, pursuant to this act, it ought to have been made, the corporation shall not, from 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 regulated by the by-laws and ordinances of said company. The stockholders in said corporation, in person or by proxy, 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 thirteen (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 their successors are elected. A majority of the board shall constitute a quorum for the transaction of business.

Term of office.

Vacancies.

§ 5. 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, also, 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 qualifications of voters. Notice of elections for directors shall be given by publication in one or more daily newspapers published in Chicago, at least ten days previous thereto.

Inspectors of election.

§ 6. The directors, when chosen, shall meet as soon as Appointment of officers. may be, after every election, and shall choose out of their number a president, vice president, treasurer and secretary, who shall hold their office until the election of directors. The directors shall, also, have the power to appoint all subordinate officers and agents of said corporation, fix their compensation, define their powers and prescribe their duties.

§ 7. All policies of insurance made by said corporation Policies signed. shall be subscribed by the president, or in case of his death or absence, by the vice president, and countersigned by the secretary; and losses arising under any policy so subscribed may be adjusted and settled by the president and secretary, under such regulations and orders as the board of directors may, from time to time, prescribe.

§ 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 with 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 shall direct. Issue of policies

§ 9. Said company may issue such contracts of insurance, and received therefor such premiums as may be agreed upon. Premiums. Premiums may be payable at any one time, or in conditional installments.

§ 10. Nothing in this act contained shall authorize said corporation to receive deposits, or to do any general banking business; but said corporation shall have full power and authority to loan and invest, to collect, reloan and re-invest its surplus or unemployed capital or money on personal, real or other securities, at such rates of interest as may be done under the existing laws of this state, or invest the same in stock. Banking business prohibited. Invest funds.

§ 11. The office of said company shall be located and kept in the city of Chicago, but the said company may transact and carry on business through its agents, under this charter, in such other place or places as may be, at any time hereafter, selected. Location of office.

§ 12. The board of directors may, from time to time, in their discretion, estimate the profits that have accrued in their business, and declare such a dividend thereof to the stockholders of said company as they may deem desirable. Declare dividends.

§ 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. Liability of stockholders.

dend shall be made until the sum arising from the profits of the business, or by advances of the stockholders to make good said capital stock, shall have been added thereto: *Provided*, that the stockholders shall not be individually liable beyond the amount of stock held by them respectively.

Act, when void. § 14. 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 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.

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

APPROVED March 15, 1869.

In force March 81, 1869. AN ACT to incorporate the United States Life Insurance Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Charles A. Savage, O. C. Skinner, James W. Singleton, Samuel D. Brown, William Gray, Newton Flagg, A. J. F. Trover, Henry Head, Robert McIntyre, Henry Root, George Burns, George Rutherford, and all other persons who may become members, by insuring therein, their associates and successors, be and they are hereby constituted a body corporate and politic, under the name and style of "The United States Life Association of the City of Quincy;" and by that name and style shall have perpetual succession, and be capable in law of suing and being sued, plead and being impleaded, answering and being answered unto, defending and being defended against, in all manner of actions, suits, complaints, and causes; may make, have and use a common seal, and the same may be changed or altered at the pleasure of the board.

Objects of the corporation. § 2. The corporation hereby created shall have power and authority to make and enter into all manner of contracts and agreements, for the insurance of the lives of persons, and may make, execute and issue policies of insurance of every kind and nature whatsoever, for the insurance of human life; and may do and perform, generally, every act and thing to the business of life insurance belonging or in any wise appertaining, and may reinsure said corporation or cause the same to be reinsured against loss on or by any risk or risks which may be taken by said company; and may, for the benefit of said corporation, purchase, from

time to time, any policy or policies of insurance or other obligation issued or to be issued by said company.

§ 3. All persons who shall become interested in said company, by insuring therein, and their respective heirs, executors, administrators or assigns, continuing to be insured therein, shall be deemed and taken as members of this company, for and during the continuance of their policies and no longer, and shall be entitled to vote at each annual election for directors; but no such policy holder, who may happen to hold more than one policy on his or the same life, shall be entitled to cast more than one vote. Persons entitled to vote at any election may do so by proxy, but such proxy shall be in writing and state the name of the person authorized to cast such vote. Membership.

§ 4. The affairs of said corporation shall be managed by a board of not less than five directors, who shall be members of the company; and after the first election they shall be elected by the members annually, on the first Tuesday after the first Monday in May, and shall serve one year or until their successors are elected. Said directors shall, within a reasonable time after the annual election, in each year, meet at the office of the company, in the city of Quincy and elect from among their number a president, vice-president, secretary and treasurer, whose term of office shall continue until their successors are duly elected; and said board of directors shall have power to appoint such other officers, agents or servants as may seem to them necessary for properly carrying on the business of the corporation hereby created, and to fix the rate of compensation of all officers, agents and servants whatsoever of said company. Said directors shall also have power to determine and declare, by by-laws, what number of said board, less than the whole number (not less than five), shall constitute a quorum for the transaction of business; and shall also have power to fill any and all vacancies which may occur by death, resignation or otherwise, in said board or in the office of president or vice-president, by the appointment of some other person or persons to serve for the residue of the term. If from any cause the election of the directors cannot be held or shall not take place on the day named in this section, said corporation shall not for that cause be dissolved, but the same may be holden on any other day which may be designated by said board. At least twelve days' public notice, by advertising in some one or more papers, shall be given of any and all general elections. Business managed by directors.

§ 5. The president and secretary of the corporation hereby created shall have power to establish, from time to time, and enforce such by-laws, rules and regulations, for the government of said corporation, as they may deem necessary, the same not being contrary to the constitution Election of officers.

Vacancies.

Special regulations.

of the United States or the state of Illinois, and generally to do and perform, or cause to be done and performed, any act, matter or thing, which the interest of said corporation may, from time to time, require to be done and performed.

Surplus funds.

§ 6. The board of directors may, from time to time, invest the accumulated premiums for insurance and surplus avails and profits of the business of said company in any funded debt or public securities created or which may hereafter be created by any law of the United States or of the state of Illinois, in the bonds or other securities of any city or county in this state, in mortgages on real estate, deeds of trust and promissory notes, and may sell, transfer or exchange the same and reinvest the proceeds and avails thereof in such manner as they may deem conducive to the interest, benefit and advantage of the corporation hereby created.

Issue of policies

§ 7. Any policy of insurance issued by this company, for the use, benefit or advantage of the wife, widow, children, father or mother of any person whose life may be insured by said corporation, shall not be held or made liable for any debts, contracts or engagements of the person whose life is or may be so insured; and all such insurance, in the event of the decease of the person whose life is or may be so insured, shall be paid to the person or persons beneficially interested therein, to be held by him, her or them, free and discharged of and from all pre-existing debts, contracts and engagements whatsoever of the person deceased.

Purchase, hold and convey real estate.

§ 8. The real estate which it shall and may be lawful for said corporation to hold, purchase, have, use and convey, shall be as follows: *First*, such as shall or may be requisite or necessary for the use of said corporation, in the transacting of its business. *Second*, such as may from time to time be conveyed to it by way of mortgage or deed of trust, for the purpose of securing to said corporation the payment of any debts, loans or sums of money which may be due and owing thereto. *Third*, such as may be conveyed to said corporation, absolutely, in payment or satisfaction of any debt or debts, loan or loans, sum or sums of money, which may be due and owing to said company. *Fourth*, such as may from time to time be bought by said corporation, at any sale or sales made under any execution, judgment, decree or order of court mortgage or deed of trust; and all such real estate to which said corporation shall or may become entitled, save and except such as may be necessary and requisite for its accommodation and use, in the transaction of its business, shall be sold and disposed of by said corporation within six years from and after the date at which it shall or may acquire title thereto; and it shall not be lawful for said corporation to have and hold any real estate longer than six years, except as above excepted.

§ 8. So soon as the same may be practicable, after the first day of January, in each year and every year, it shall be the duty of the officers of said corporation to cause to be prepared a true and correct general balance statement of the affairs of the corporation for the preceding year, ending on the thirty-first day of December then last past, which shall contain and show: 1st—the amount of premiums received and the amount of interest received from loans and investments of every kind, for and during the year. 2d—the amount of the expenses and liabilities of the company, for and during the same period. 4th—the balance remaining with said company, the kind and nature of the security by which all loans are secured, and the amount of actual cash on hand; which statement shall be recorded in a book, to be prepared and kept for that purpose; which said book shall at all times, during usual business hours, be open to inspection by policy holders, who may desire to examine the same.

General balance statement.

Premiums received.

Expenses, etc,

§ 10. The accumulations from payments of premiums and all increase and accumulation of funds of the company, from all sources whatever, shall be held liable to and for the payment of all losses, expenses and liabilities incurred by said company, and shall not be withdrawn for division or distribution in any manner whatever among policy holders in this company who may, by the terms and conditions of any such policy, be entitled to participate or share in profits and earnings of said company, so long as there shall or may be outstanding liabilities of said corporation, ascertained to be due and unpaid, except in the manner provided in sections eleven and twelve of this act. The directors may, from time to time, determine the rate of premium which shall be paid by any applicant for insurance, and regulate the manner, terms and times of payment thereof; and should default be made in the payment of any premium due, or to become due and owing to said company or any part thereof, at the time at which the same ought to be paid, then and in such case the policy on which said premiums may be so due and owing shall, by reason of such default, become forfeited, and shall no longer be of any force or effect whatever—and said company shall be fully exonerated and discharged from any and all liability, by reason or on account of such policy; and all premiums which shall or may have been paid thereon to said company, as well as all and every unredeemed dividend which shall or may be due thereon at the time of such default, shall become and be deemed forfeited to said company: *Provided, always,* that the board of directors may set aside any such forfeiture and reinstate any such forfeited policy and dividend, on such terms and conditions as the said directors deem proper.

All funds liable for losses.

Insurance rates

May forfeit stock.

Annual report.

§ 11. The officers of said corporation shall, on the first day of January, in each and every year, or so soon thereafter as practicable, make or cause to be made, in writing, a statement or exhibit, showing the condition of the affairs of said company on the thirty-first day of December, then last passed; and if, as shown by such statement or exhibit, after the payment of all losses, liabilities and expenses of the said company and after creating a contingent fund which, in the judgment of the board of directors, be a sufficient provision for all outstanding risks for the year preceding the date of such statement, there shall remain a surplus, each insured member who may be entitled to share in the profits of the company and whose policy may not have become forfeited shall be entitled to be credited on the books of the company for such proportional part of any such surplus as the sum of the annual premiums paid by such member shall bear to the aggregate sum or amount of such surplus as may be so declared to be remaining; but no such dividend shall be actually redeemed or paid off until such time as the assets of the company shall amount to the sum of five hundred thousand dollars. Whenever the sum or the amount of said assets shall be over and above the said sum of five hundred thousand dollars, such excess may, from year to year thereafter, be applied towards the redemption of the dividends of each year, in whole or in part, as may be determined by the board of directors: *Provided, always*, the said assets shall, in the judgment of said directors, exceed in amount the value of the policies then actually in force, in an amount or sum equal to the sum of the said dividend so to be redeemed or paid off; but no dividend or dividends of any preceding year shall be unprovided for. The board of directors may, in their discretion, declare any such dividend or dividends, the payment whereof may be postponed, entitled to bear interest at a rate not exceeding six per centum per annum.

Redemption of dividends.

Time of payment of losses.

§ 12. In case of the decease of any person whose life may be insured by said corporation and whose policy shall not have been forfeited at the time of such decease, the amount of insurance to be paid by the company in such case, together with any unredeemed dividend or dividends then standing to the credit of such policy, after deducting such sum as may be due and owing to said corporation on account of premium notes or other indebtedness of the beneficiary to said corporation, shall be paid to the person or persons who may be entitled to demand and receive the same under and by virtue of the terms and conditions of the policy in such case, within ninety days from and after the time at which notice and satisfactory proof of death shall have been furnished to the board of directors and by them duly approved, according to the provisions of the by-laws of said corporation relating to such necessary proof.

§ 13. Suits of law may be instituted and prosecuted by Suits instituted. said corporation against any member thereof, and also by any member thereof against said corporation, but no suit on any policy of insurance issued by this corporation shall be commenced or maintained until the end of ninety days next after delivery of due notice and proof of death to said corporation; and in all suits by and against said company no member of said corporation, who may be otherwise a competent witness, shall be declared incompetent or disqualified as a witness because of his being a member of this company.

§ 14. The persons named in the first section of this act, or their agents, are hereby authorized to procure applica- Procure applica-
tions for insu-
rance. tions for insurance in the company; and whenever applications for insurance, amounting in the aggregate to not less than three hundred thousand dollars, shall have been received, the said persons named in section one of this act, or any two of them, shall cause public notice of at least twenty days, published in some one or more papers printed in the city of Quincy, appointing the time and place of holding the first election for directors, who shall hold their office Term of office. until their successors are elected as provided in section 4th of this act; but the corporation hereby created shall not be authorized to make any policy or contract of insurance until applications amounting to three hundred thousand dollars have been received by at least fifty members: *Provided*, that this company shall not do any business until a guarantee capital of one hundred thousand dollars shall have been subscribed and paid up or invested in bonds or stocks or bonds and mortgages: *And provided, further*, that nothing in this act shall be so construed 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.

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

APPROVED March 31, 1869.

AN ACT to incorporate the Western Life Insurance Company of the State In force March
27, 1869. of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That S. B. Corporators. Chandler, G. Koerner, J. L. D. Morrison, Edward Abend, W. Kellermann, H. G. Uleber, Henry Abend, A. Berchermann, T. Harrison, W. C. Buchanan, T. Ropiequet, J. H. Siefert and Jacob Brosius, their associates and suc-

Name and style.	cessors, in the corporation hereby created, shall be a body politic and corporate, by the name of "The Western 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: <i>Provided</i> , they be not repugnant to the constitution and laws of the United States or of this state.
Rules and by-laws.	
First board of directors.	§ 2. The persons above named shall constitute the first board of directors, and shall hold office for one year and until their successors shall have been elected. On the second Monday in January, of each year, there shall be an election for directors, and annually thereafter. At such election every person shall be entitled to one vote, either personally or by proxy, for every share of stock held by him. The board of directors shall consist of thirteen persons, who shall be stockholders, but their number may be increased at any time to any number not exceeding thirty-three; and in such case shall so arrange the manner of election that only one-third of the whole number shall retire annually, and their successors be elected for the term of three years.
Amount 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, not exceeding five 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 in to the treasury of said company not less than ten dollars on each share, and shall have secured the remaining ninety dollars on every share, 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.
Election of officers.	
May insure.	§ 5. The company hereby created shall have authority to make insurance upon the lives of individuals, and every insurance thereunto appertaining; to receive trusts, grants, annuities and endowments, and purchase the same, in such form and manner and for such premium and considerations as they shall direct: <i>Provided</i> , that no policy shall be is-

sued 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 five thousand dollars on a single life.

§ 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 accumulation in bonds, mortgages, notes, stocks, or other securities, and may collect, sell and transfer such securities and reinvest the same. Investment of capital stock.

§ 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 contracted or for moneys due upon such as shall have been purchased at sales upon judgments, decrees or mortgages obtained or made for such debts. Possession of real estate.

§ 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. Powers and privileges.

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

APPROVED March 27, 1869.

INSURANCE (LIFE) COMPANIES—NEW PRIVILEGES.

AN ACT to amend an act entitled "An act to incorporate the Great Western Life Insurance Company," approved February 15, 1865. In force March 4, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section five of the said act referred to be and the same is hereby amended, so as to read as follows: "The owners of paid in capital stock shall be entitled to interest thereon from the mutual department of this company, at the rate of ten per cent. per annum, payable semi-annually, including the interest which may have accrued in the meantime on same amount of stock paid in; but in no case shall interest from Sec. 5 amended.

said department be paid on an amount of capital stock exceeding two hundred thousand dollars.

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

APPROVED March 4, 1869.

In force March 31, 1869. AN ACT to amend an act entitled "An act to incorporate the Mutual Life Insurance Company of the State of Illinois," approved March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That to much*
 Sec. 2 amended. of section 10 of said act as refers to the time of organizing said company be and the same is hereby amended so as to read: "On or before the first Monday in May, 1869."

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

APPROVED March 31, 1869.

In force March 8, 1869. AN ACT to amend an act entitled "An act to incorporate the Protection Life Insurance Company," approved March 7, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That it shall*
 May insure. be lawful for the trustees of the Protection Life Insurance Company, in their discretion, to insure lives and issue policies upon the non-participating plan, and to transact the business of said company upon the joint stock principle, or
 Former acts confirmed. mutual or both; and all policies heretofore issued by said company are hereby confirmed and declared binding on said company.

Amount capital stock. § 2. The capital stock of said company shall be one hundred thousand dollars, divided into shares of one hundred dollars each, which shall be personal property, and transferable as such upon the books of the company, in the manner and subject to the restrictions provided by the by-laws of said company. The shares of the said capital stock shall be
 Shares of stock issued to owners of guarantee fund. issued to the owners of the guarantee fund of one hundred thousand dollars, heretofore issued as guarantee capital, in lieu of and for the same amount and number of shares held by said owners, respectively, in said guarantee fund: *Provided*, that the issue of said stock capital shall not be held to cancel said guarantee fund or debar said company from continuing or withdrawing the same, as provided in the act to which this is an amendment.

§ 3. The trustees of said company may declare and pay such dividends to the stockholders, out of the profits of the business of said company, as they may deem advisable: *Provided*, that the said stockholders shall not be entitled to receive more than twenty per cent. of the net profits arising from the mutual business, if any, of said company. Dividends to be declared.

§ 4. Each share of stock shall entitle the holder thereof to one vote in the election of trustees, either personally or by proxy. The trustees shall have power to provide a form of proxy to be used in such elections, and to prescribe the evidence, if any, that shall be required in the execution thereof. Who entitled to vote.

§ 5. The said capital stock may, in the direction of the trustees, be increased to an amount not exceeding one million dollars; in which case books of subscription shall be opened, under the direction of the officers of the company; and when the additional capital shall have been subscribed the trustees shall proceed to call in an installment on the additional stock so subscribed, as they may deem necessary—but not less than ten per cent., in cash; and, for the balance of such subscription, may take United States bonds, bonds of this state, or other public securities, satisfactory to the said trustees, or bonds secured by mortgage upon unincumbered real estate worth double the amount secured. Increase of capital stock.

§ 6. The said company may invest the whole or any part of the capital or premiums in United States bonds, bonds of this state, or other public securities, satisfactory to the trustees, or in the manner provided in the act of which this is an amendment, and they may reinvest the same at pleasure. Invest funds in U. S. bonds.

§ 7. The trustees shall have power to determine what number, not less than five, that shall constitute a quorum for the transaction of business. Quorum.

§ 8. The trustees of said company may, at any time they shall deem it for the best interests of the company, remove the home office of the said company to the city of Chicago, in the county of Cook; and all acts and things authorized to be done in the city of Freeport, county of Stephenson, shall be legal, if done in the city of Chicago, in the county of Cook; and all acts and things already done or that may hereafter be done in the city of Freeport shall in nowise be invalidated or affected by the removal of said company to the city of Chicago, as aforesaid. Remove home office.

§ 9. The fiscal year of said company shall commence on the first day of January and terminate on the thirty-first day of December, in each year. Fiscal year.

§ 10. So much of the act to which this is an amendment as is inconsistent with the provisions of this act shall be and the same is hereby repealed. Conflicting acts repealed.

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

APPROVED March 8, 1869.

In force March 3, 1869. AN ACT to amend "An act to incorporate the Provident Life Insurance and Investment Company," approved February 13, 1865.

SECTISections 5 and 15 repealed.ON 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That so much of section one of said act, to which this is amendatory, as relates to the name and style of the corporation, and sections five and fifteen of the said act, to which this is amendatory, be and the same are hereby repealed.

Name changed. § 2. The name and style of the company shall be and is "Eagle Insurance Company;" and the said company may transact fire, marine and inland insurance; and may hold Election of directors. of an annual meeting of the share-holders on the first Tuesday of July, for the election of thirteen directors, to serve till their successors be chosen. Nothing in this act, or the act Banking business prohibited. of which it is an amendment, 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.

§ 3. This act shall take effect and be in force immediately upon its passage.

APPROVED March 3, 1869.

LIBRARIES—INCORPORATED.

In force March 31, 1869. AN ACT to incorporate the Cairo Public School Library Association.

SECTICorporators.ON 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That D. Hurd, C. H. Foote, E. P. Burlingham, W. H. Green, M. B. Harrell, Joel G. Morgan and S. P. Wheeler, and their associates and successors, forever, are hereby created a Name and style. body corporate, by the name and style of "The Cairo Public School Library Association;" and, by that name, shall General powers. have perpetual succession; shall be capable in law to contract and be contracted with, to sue and be sued, implead and be impleaded, within all courts of competent jurisdiction; may receive, acquire, hold, lease and sell real and personal property; may maintain a public library, under such regulations as such association may impose; may maintain a museum, and for that purpose may establish a department of this association, to be called the "Cairo Academy of Sciences;" and may acquire, by gift or other-

wise, suitable specimens therefor; 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.

§ 2. The present officers of said association shall be the officers of this corporation hereby created, until their successors shall be elected or their offices otherwise vacated; and the constitution, regulations and by-laws now in force for the government of said association shall remain in force until an organization is effected under this act. Officers hold over.

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

APPROVED March 31, 1869.

AN ACT to incorporate the Public School Library Association of the City of Chicago. In force April 1, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John H. Foster, J. Young Scammon, John Wentworth, S. S. Hayes, Samuel Hoard, William H. Carter, William K. McAllister, Charles N. Holden, N. S. Davis, Ezra B. McCagg, John C. Haynes, William H. King, Charles G. Wicker, Henry T. Steele, William J. Onaban, John H. Jewett, Samuel A. Briggs, Redmond Prindeville, Arthur Dixon, Willard Woodard, Brockholst McVicar, Isaac N. Arnold, Joseph F. Bonfield, C. C. P. Holden, Daniel O'Hara, Thomas L. Miller, William H. Wells, Lorenzo Brentano, John C. Dore, Andrew Shuman, Curtis E. Meserve, William A. Porter, Ira Scott, Francis A. Eastman, James Ward, William Bross, A. W. Tinkham, Eben F. Runyan, Charles H. Ray, Levi D. Boone, R. M. Guilford, Lambert Tree, Wilbur F. Story, Emil Dreier, David Walsh, John McAllister, James F. Ballantyne, George Payson, Joseph E. Gary, T. M. Avery, Philo Carpenter, Lester L. Bond, Wiley M. Egan, George C. Clark, James M. Adsit, Josiah L. Pickard, Nathaniel S. Bouton, Frederick Crumbaugh, Murray F. Tuley, Joseph N. Barker, Edward Martin, be and are hereby constituted an association, to carry into effect the provisions of this act, with power to purchase, hold and convey real estate, not exceeding in value the sum of two hundred thousand dollars; to receive gifts, grants and bequests, and to dispose of the same in accordance with the wishes of the donors; to sue and to be sued, to plead and to be impleaded, Corporators.
May hold and convey real estate.

and to do all and several the acts required by this act of incorporation.

Name and style. § 2. The association shall be known and designated as "The Public School Library Association of the City of Chicago," and shall have for its sole and only object the establishment and maintenance of a public school library, free to all members of the association, and open to others, upon such terms as may be prescribed by vote of the association.

Qualification of members. § 3. Members of this association shall be persons who have been or who are at the time of admission connected with the public schools of Chicago, either as officers, teachers or pupils.

Registry for membership. § 4. The president of the board of education is hereby empowered to open a book of registry, for those who may desire to become members of the association, and, when one hundred or more have so enrolled themselves, he shall call them together, for the transaction of business required of them by this act.

Corporate powers, how vested. § 5. The powers of the association are hereby vested in a board of trustees, of twenty members. The president of the board of education, the superintendent of schools, the principal of the high school and the principal of the normal school, of the city of Chicago, shall be, *ex officio*, members of the board of trustees. The remaining sixteen trustees shall be elected by the association, and shall hold their offices for the term of four years: *Provided*, that of those elected at the first election held in accordance with the provisions of this act, four shall serve for one year, four for two years, four for three years, and four for four years—the same to be determined by lot, at the first meeting of the trustees after the election.

By-laws for its government. § 6. The trustees of this association shall fix terms of membership, and shall make all needful rules and regulations for the establishment and maintenance of the public school library, subject, in all cases, to the approval of the association.

Assessment of members. § 7. The trustees may, by a concurrent vote of at least three-fourths of their number, assess members of the association in a sum not exceeding five dollars per annum.

Library rooms. § 8. The board of education of the city of Chicago is hereby authorized and empowered to provide suitable rooms for the library.

Exempt from taxation. § 9. The property of the association, held solely for the purposes contemplated in this act, shall be exempt from taxation.

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

APPROVED April 1, 1869.

AN ACT to incorporate the DuQuoin Library Association.

In force March
24, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Eathen A. Lee, Moses P. Lemen, Andrew J. Alden, Fred G. McLean, Charles F. Linzee, Allen C. Brookings, Robert R. Townes, Sample G. Parke, George Abbott, Theophilis T. Fountain, James Baird, John Higgins, and their associates and successors, forever, are hereby declared and created a body politic and corporate, by the name and style of "The DuQuoin Library Association of the City of DuQuoin;" 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, in all courts of competent jurisdiction; may receive, acquire and hold real and personal property, suitable to the carrying out of the objects of the association; may have a common seal, and change the same at pleasure; may make such constitution, by-laws and rules and regulations as may be required for its government and the carrying out of the objects of the association, not contrary to the constitution and laws of the United States or of this state, and may alter and amend the same at pleasure.

Corporators.

Name and style.

Corporate powers.

§ 2. The said association shall have power to make, alter and amend such by-laws and constitution, as it may deem necessary for the regulation of its affairs, not inconsistent with the laws or constitution of this state or of the United States.

Amend, alter
and repeal by-
laws, etc.

§ 3. The object of this association is hereby declared to be to provide and carry on a public library and reading room, in the city of DuQuoin, for the dissemination of useful literature.

Objects of the
corporation.

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

APPROVED March 24, 1869.

AN ACT to incorporate the Fayetteville Library Association.

In force March
30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William Tennet, George Petri, Anton Hihler, Henry Stassinger, William Waltz, Peter Kropp, Henry Twengal, and their 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 Fayetteville Library Association;" and shall have succession, a common seal,

Corporators.

Name and style.

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 association.

May acquire
personal prop-
erty.

§ 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.

Management.

Board of direc-
tors.

§ 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 members of said association: *Provided, however*, that a neglect or failure to elect such a 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.

By-laws, etc.

§ 4. The directors shall have power to make such by-laws, not inconsistent with any law of this state or of the United States or [in] 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, and also for yearly membership, as they may deem for the best interests of said association.

Directors.

Term of office.

§ 5. The persons named in the first section of this act shall be directors until the first day of January, A. D. 1870, 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 March 30, 1869.

In force March
25, 1869.

AN ACT to incorporate the Franklin Society of the city of Chicago.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Andrew Shuman, Joseph Medill, James F. Ballantyne, Francis B. Wilkie, Jeremiah S. Thompson, Sterling P. Rounds, Charles W. McClellan, Hermann Raster, William D. Baker, John Marder, George W. Taylor, Alfred J. Cox, Harvey G. Griffiths, Charles Atwood, John M. Farquhar, John K. Conklin, Joseph C. Snow, Samuel E. Pinta, Clarence L.

Dermetty, and all persons who are or may hereafter become associated with them, are hereby constituted a body politic and corporate, by the name of "The Franklin Society of the City of Chicago;" and by that name shall have perpetual succession, with the power to make, have and use a common seal, and the same to alter and renew at pleasure; to contract and be contracted with; to sue and be sued, plead 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.

Corporate powers.

§ 2. The objects of said corporation shall be, to establish and maintain a library and reading room, to procure literary and scientific lectures, and to promote the intellectual improvement of its members.

Objects of the corporation.

§ 3. The officers of said corporation shall be a president, two vice-presidents, corresponding secretary, recording secretary, financial secretary, treasurer, and six managers. They shall be chosen annually, by ballot, at the annual meeting of the corporation, by the members thereof; and the persons receiving a plurality of the votes of the members present shall be declared elected, and shall hold their respective offices until the succeeding annual meeting of the corporation, or until their successors are elected and qualified. The above officers shall constitute the executive committee.

Annual election of officers.

§ 4. There shall be an annual meeting of the stockholders of said corporation, on the third Wednesday of February, in each and every year, for the purpose of electing officers, hearing the report of the executive committee, and transacting all the necessary business.

Meeting of stockholders.

§ 5. Said corporation shall have power to define the duties of its officers, appoint such committees and adopt such by-laws, not inconsistent with the laws of this state or of the United States, 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 and acquire 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, devise, 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.

General powers.

§ 6. Said corporation may require bond and satisfactory security of its financial secretary and treasurer, for the faithful performance of their respective duties as such officers. Said association shall not, either as a body or by its governing officers, make any laws, regulations or rules, whereby the standing or rights of any of its members shall be made dependent upon his conformity with or opposition to any reg-

Bond and security required.

ulations, rules, order or discipline of any trades organization, neither shall it take part in any combination for regulating the relation between employer and employe.

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

APPROVED March 25, 1869.

In force March 26, 1869. AN ACT to incorporate the Freeburg Saengerbund and Library Association.

- Corporators.** SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That George Heberer, Philip Reisil, Louis Meng, Christopher Barthal and Peter Conrath, and such others as may associate themselves with them, shall be and the same are hereby constituted a body politic and corporate, to be known by the
- Name and style.** name of "The Freeburg Saengerbund and Library Association;" and by that name shall have perpetual succession, and may use a common seal.
- Corporate powers.** § 2. That the corporation, by the name and style aforesaid, shall be capable, in law, of suing and being sued, in all courts whatsoever, and, also, shall be capable of purchasing, holding and conveying real and personal estate: *Provided*, that such real estate shall only be such as may be necessary to promote the objects of the society.
- Objects of the corporation.** § 3. The objects of the association shall be to teach and cultivate vocal and instrumental music, to establish and maintain a library, and, generally, [to] promote moral and mental culture.
- By-laws.** § 4. The members of said society may, by by-laws, fix regular meetings of said association, and in their meetings shall have power to enact such by-laws, rules and regulations as they, or a majority of them, may think best to promote the general welfare of the association, not in conflict with the laws of this state.
- § 5. This act to be deemed a public act, and be in force from and after its passage.

APPROVED March 26, 1869.

In force March 15, 1869. AN ACT to incorporate the Galesburg Young Men's Library Association.

- Corporators.** SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That N. A. Johnson, Albert Hurd, M. C. Willard, N. Briggs, J. B. Roberts, T. Judson Hale, and such other persons as are now members of an association in the city of Galesburg,
- Name and style.** called the Galesburg Young Men's Literary and Library

Association, and such other persons as may, from time to time, become members of the corporation hereby created, are hereby made and constituted a body politic and corporate, with perpetual succession, by the name and style of "The Galesburg Young Men's Library Association;" and, by that name, they and their successors shall be capable, in law, of contracting and being contracted with, suing and being sued, in all courts and places, and in all matters and places whatsoever, with full power to acquire, hold and occupy, enjoy and convey all real and personal estate necessary to carry out the objects of this incorporation. They may adopt a constitution, rules, by-laws and regulations, to further the object of this incorporation, in such manner as shall to them, from time to time, seem necessary; and they may annex to the breach thereof such penalty, by fine, dismissal or expulsion, as they may deem fit; and the constitution, by-laws, rules and regulations of the present Galesburg Young Men's Library Association shall be in force for this corporation till others shall be adopted.

Corporate powers.

Rules for government.

§ 2. The objects of this corporation shall be to establish and maintain a reading room and library, and to procure literary and scientific lectures.

Objects of the corporation.

§ 3. The association hereby incorporated shall have power and authority and are hereby authorized to obtain, by purchase or gift, real estate or other property, in the city of Galesburg, for the purpose of securing or erecting suitable 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. The said association may use, for the purchase of such real estate and the erection of such buildings and for maintaining and repairing the same and paying taxes thereon, such sums of money as may be given to such association for such express purpose; they shall, also, have power to borrow money for such purpose; and debts created for such purpose may be made liens on such real estate. They shall, also, have power to expend upon such real estate or for the payment of such debts an amount from the funds of such association arising from dues of members, use of library and reading room and profits of lectures, not exceeding in any year a fair rent for the rooms necessarily used by such association, for the purpose of library, reading room and lecture rooms.

General powers.

§ 4. All moneys obtained by the said association from dues of members, for use of reading room and library, sales of books, and all profits of lectures, except so much as may be necessary to be expended for the compensation of agents or officers, use of rooms, furniture, fuel and lights, and like expenses, shall be used in the purchase of books and papers, to maintain and increase the library and reading rooms.

Fund used for purchase books.

Membership. § 5. No other qualification shall be required of persons wishing to become members of this association than residence in the city of Galesburg, good moral character and the payment of such dues and compliance with such rules and regulations as may, from time to time, be required of members.

Powers § 6. This association shall have power, from time to time, to provide for the exercise of the powers vested in such association by this act, by directors, to be periodically elected by the association, according to such rules as the association may, from time to time, adopt.

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

APPROVED March 15, 1869.

In force March 15, 1869. AN ACT to incorporate the German Library Association of the City of Peru.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That P. P. Singer, Anton Birkenball, Peter Throne, Charles Rockebrand, Wm. Uthoff, Louis Ackerman, J. W. Fisher, G. Zacker, Jacob Phillips and William Schaffer, and their associates and successors, and all other persons who may from time to time become members of said association, be declared and constituted a body corporate and politic; by the name and style of "The German Library Association of the City of Peru;" located at Peru, in the county of La Salle, and state of Illinois; and, by that name, they and their successors shall and may have perpetual succession; shall be capable of suing and being sued, contracting and being contracted with; may have and use a common seal, and may alter or change the same at pleasure; and they and their successors, by their corporate name, shall, in law, be capable of taking, receiving, purchasing and holding real and personal estate; may sell and convey the same; may make by-laws, for the management of its affairs, not inconsistent with the constitution and laws of this state or the United States; and may elect or appoint the officers and agents of said association, for the management of its business.

Rules for government. § 2. The said association shall have power to make such a constitution and by-laws as are not inconsistent with the laws of the United States or of the state of Illinois.

Managers. § 3. The association, so incorporated, may, annually or
Annual election. oftener, elect from its own members such officers and managers as the association may deem proper, at such times

and places and in such manner and with such powers expressed and duties imposed on said officers and managers, as said association, by its by-laws, may direct; and in case it shall happen that an election^{of} officers and managers shall not be made on the day designated by the by-laws, it may and shall be lawful, on any other day, to hold an election for such officers and managers: *Provided*, notice of such election shall be given to the members of said association.

§ 4. The association incorporated by this act shall be capable of taking, holding and receiving any property, real or personal, by virtue of any gift, purchase, devise or bequest contained in any last will and testament of any person whatsoever, or in any other manner. May hold and convey real property.

§ 5. The constitution, by-laws and resolutions of said association shall be in full force when recorded in the records of said association, and on the production and proof of such record, shall be received as evidence of the facts therein stated, in all courts of justice and upon all lawful occasions. Organization. Evidence of.

§ 6. Said corporation may require bond and satisfactory security of its treasurer or other officers entrusted with moneys, for the faithful performance of his or their duties as such officer. Treasurer. Bond and security required.

§ 7. The object of this association is hereby declared to be to unite those reading and speaking the German language in a literary band of brotherhood and mutual friendship, in the pursuit of literature and science, and for the promotion of social enjoyment. Objects of the corporation.

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

APPROVED March 15, 1869.

AN ACT to incorporate the Griggsville Circulating Library Association. In force March 30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That James B. Morrison, John K. Bashforth, Jason H. Rider, Arlond Monroe, William H. Clark, D. W. Cree, George H. Sanford, William W. Kenny, M. E. Baxter, E. W. Baxter, Parvino Shinn, N. T. Phillips, George E. Pratt, John Donovan, Wm. W. Bornell, Wallace Parker, John Clark, E. R. Stoner, A. A. Bently and Thomas W. Parker, and their associates and successors, forever, are hereby constituted a body politic and corporate, under the name and style of "The Griggsville Circulating Library Association;" and, by that name, they and their successors shall and Corporators. Corporate name and powers.

may have succession; shall be capable of suing and being sued, contracting and being contracted with; may have and use a common seal, and the same may alter or change at pleasure; may take, receive, purchase, hold, incumber and convey such real and personal property as may be necessary for the purposes of said corporation; and may establish such constitution and by-laws, for the government of the same, not inconsistent with the constitution of this state or of the United States, as said corporation may deem expedient.

Objects of the corporation.

§ 2. The objects of said corporation shall be to found and establish a library and reading room, to provide for and maintain literary and scientific lectures, and to disseminate knowledge.

Rules for government.

§ 3. The constitution and by-laws now in force shall govern the corporation hereby created until regularly altered or repealed by the society; and the present officers of the said society shall be officers of the corporation hereby created until their respective terms of office shall regularly expire or be vacated.

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

APPROVED March 30, 1869.

In force March 30, 1869. AN ACT to incorporate the Library Association of Shawneetown, Illinois.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Alexander H. Rowan, William G. Bowman, Charles Burnett, Bluford Wilson, James R. Loomis, Milton Bailey, David W. Lusk, Geo. A. Ridgeway, James B. Turner, John W. Wasson, Martin S. Jones and M. M. Pool, and their associates and successors, forever, are hereby declared and created a body corporate, by the name and style of "The Library Association of Shawneetown, 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 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.*

Corporate name and powers.

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

APPROVED March 30, 1869.

AN ACT to incorporate the Union Catholic Library Association of Chicago. In force March 30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Roger J. Brass, T. A. Moran, J. Herting, A. Gague, M. J. Dunnee, William H. Naulty, William A. Amberg, Michael Keeley, John H. O'Brien, James McGrath, A. H. Van Buren, G. W. Parent, Thomas Brennan, A. J. Weekler, C. A. Mair, Thomas Buckley, Jeremiah Mahoney, W. J. Onahan, J. C. McNulty, P. W. Snowhook, A. Bengley, B. G. Caulfield, E. E. Royan, Charles McDonald, J. H. Doolin, William McLaughlin, John Reid and Joseph McDonald, and their associates and successors, forever, are hereby declared and created a body politic and corporate, by the name of "The Union Catholic Library Association 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, and may sell and dispose of the same at pleasure; may make such constitution, regulations and by-laws as may be requisite, not inconsistent with the constitution and laws of this state.

Corporators.

Name and style.

Corporate powers.

§ 2. The objects of said corporation shall be to establish and maintain a library and reading room, for the use and benefit of Catholic community of all nationalities, in the city of Chicago; to procure literary, religious and scientific lectures, and to promote the intellectual and moral improvement of its members.

Objects of the corporation.

§ 3. The officers of said corporation shall be a president, two vice presidents, corresponding secretary, recording secretary, financial secretary, treasurer, and fifteen managers. 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 voting at such election shall be declared elected to their respective offices; *Provided*, that no person shall be qualified to hold office, nor shall any person be entitled to be declared elected, or to exercise any of the rights or duties of an officer of said corporation who is not a Catholic, and a member in good standing of said corporation.

Officers.

Term of office. § 4. All the officers of said corporation, except said fifteen managers, shall hold their respective offices for the term of one year or until their successors shall be appointed. Each manager shall hold his office for the term of three years or until his successor is appointed: *Provided*, that the term of office of the said fifteen managers, who shall be elected at the first regular election of officers for said corporation, after the passage of this act, shall be as follows: Five of said managers shall hold their office for one year, five for two years, and five for three years; and said managers shall, at the first meeting of the board of managers, after their election, draw lots for their respective terms of office, of one, two and three years. Said fifteen managers, together with the president, vice presidents, recording, corresponding and financial secretaries and treasurer, shall compose the board of managers of said association.

Contracts made binding. § 5. All contracts and conveyances of said corporation, to be binding, shall be executed by the president and secretary of said board of managers.

Meetings. § 6. There shall be an annual meeting of the corporation on the second Tuesday of May, in each and every year, for the purpose of electing officers, hearing the report of the board of managers, and transacting all other necessary business.

Treasurer. § 7. Said corporation may require bond and satisfactory surety of its treasurer, for the faithful performance of his duties as such officer.

Bond and security required.

§ 8. This act shall be a public act, and, as such, shall be received in all the courts, and shall receive a construction favorable to the accomplishment of its object.

§ 9. This act shall take effect from and after its passage.
APPROVED March 30, 1869.

In force March 30, 1869. AN ACT to incorporate the Villa Ridge Lyceum and Library Association.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That George Munich, A. M. Brown, J. M. Crain, J. W. Mott, J. R. Johnson, O. Lufkin, O. Edson, and their associates and successors, are hereby constituted a body politic and corporate, under the name and style of "The Villa Ridge Lyceum and Library Association;" and, by that name, they 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 carry out the purpose of said asso-

Name and style.

Corporate powers.

ciation. The property of said association shall be to the amount of five thousand dollars in value, exempt from taxation for state, county and municipal purposes. Said corporation may have a common seal, with power to alter and change the same at pleasure.

§ 2. The affairs of said association shall be managed and conducted by a board of trustees, who shall be elected, annually, by the members of said association. Said board of trustees may make all needful rules and regulations and by-laws for the management of the said association and its affairs, not inconsistent with the laws of this state or of the United States.

Management.
Board of trustees.

§ 3. The objects of said association shall be to found and establish a library, to cultivate a taste for the fine arts and the sciences, and, generally, to diffuse knowledge among the people.

Objects of the corporation.

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

APPROVED March 30, 1869.

LIBRARIES—NEW PRIVILEGES.

AN ACT to change the name of the Young Men's Library Association of the city of Chicago, and to authorize it to increase its capital stock. In force March 29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the name of the Young Men's Library Association of the city of Chicago be and the same is hereby changed to "The Chicago Library Association."*

Name changed.

§ 2. The said Chicago Library Association is hereby authorized to increase its capital stock to the sum of three hundred thousand dollars.

Stock may be increased.

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

APPROVED March 29, 1869.

LITERARY, SCIENTIFIC, ETC., SOCIETIES.

In force March 31, 1869. AN ACT to incorporate the Adelpbian Literary Society of the town of Carbondale, Jackson county, Illinois.

- SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Emma M. Ratts, Mattie Sanders, Mattie Jackson, Mattie Heap, Fannie Welch, Ada Harwood, Mollie Thompson, Ellen North, Mary Glassford, Nellie Atkins, Rachel Queen, Mary Wager, Ione Johnson, Alice C. Jackson, Ellen McEllvane, Anna McEllvane, and their successors, be and are hereby created a body politic, to be styled "The Adelpbian Literary Society," in the town of Carbondale, county of Jackson, and state of Illinois; and, by that name, to remain and have perpetual succession, with full powers to sue and be sued, plead and be impleaded, defend and be defended against, both in law and equity, in any and all courts of this state having jurisdiction of the subject matter thereof; to contract and be contracted with; to purchase, acquire and hold and convey property, for library or society purposes; to have and use a common seal, to be altered, amended or renewed at their pleasure; to make, alter or amend a constitution, by-laws and rules of order, for the management or government of said society; and, finally, to do whatever may be necessary to carry out fully the object of this act of incorporation.
- § 2.** Said society shall be located in the town of Carbondale, county of Jackson, state of Illinois. The object of this society shall be for the mental and moral improvement of its members.
- § 3.** The officers of this society shall be a president, vice president, recording secretary, treasurer, critic, librarian, and usher, and such other officers as may become necessary to carry out the object of this act, who shall constitute a board of directors.
- § 4.** The property of said society, not exceeding twenty-five thousand dollars, acquired and used for the purposes herein contemplated, shall be exempt from taxation for state, county or municipal purposes.
- § 5.** Any donation, devise or bequest, made for special purposes, in accordance with the object of said society, if the society accept the same, shall be faithfully applied in accordance with such special purpose.
- § 6.** The present officers shall continue in authority until their successors are duly elected and installed.
- § 7.** This act shall be in force from and after its passage.

APPROVED March 31, 1869.

AN ACT to incorporate the Alexian Brothers of Chicago.

In force March
17, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Hubert Thelen, Mathias Pollig, Peter Bernhart, Johannes Schwipereich, Henrich Ganssen and Nicholas Schyns, and their associates and successors, are hereby constituted a body corporate and politic, by the name and style of "The Alexian Brothers of Chicago;" and, by that name, have perpetual succession; and shall have power to contract and be contracted with, to sue and be sued, to plead and be impleaded, answer and be answered unto, defend and be defended, in all courts and places whatsoever, and to do and perform all such acts and things as are or may become necessary, for the furtherance of the purposes of the said corporation, as fully and completely as a natural person might or could do, and also to adopt a common seal, and the same to alter or change at pleasure.

Corporators.

Name and style.

Corporate powers.

§ 2. The object and purposes of said corporation shall be religious improvement of its brothers, and active exercise of charity, particularly in times of war; the gratuitous nursing and taking care of the wounded soldiers on the battle field; the gratuitous burial of the dead in times of epidemic; the establishing and conducting of hospitals; the nursing of sick male persons, and the nursing and taking care of idiots and lunatics of the male sex.

Objects of the
corporation.

§ 3. The said corporation shall have full power and authority to provide for the admission, rejection and expulsion of its members, and to make such rules, regulations and by-laws, as they may deem necessary, for the government of own their conduct and affairs and for the government of the corporation and its hospitals: *Provided*, such rules, regulations and by-laws not being contrary to the laws and constitution of this state and of the United States.

By-laws, rules
and regulations.

§ 4. The said corporation may, in their corporate name, take, receive, hold, own and enjoy, by gift, grant, devise, bequest, donation and otherwise, and may acquire, in fee or for any less estate, real estate, chattels, real and personal property, and choses in action, necessary and convenient for the promotion of said object or purposes, and to grant, bargain, sell, convey, loan, assign, mortgage, execute deeds of trust for and lease the same. And all real estate and personal property, to an amount not exceeding one hundred thousand dollars in all, held by or for the use of said corporation and occupied or used by it, shall be free from taxation.

May receive
gifts, etc.

§ 5. No person shall be a member of this corporation unless he be a citizen of the United States or have declared his intention to become such under the laws of congress.

Membership.

§ 6. This act shall take effect and be in force from and after its passage, and be deemed a perpetual charter.

APPROVED March 17, 1869.

In force March
10, 1869.

AN ACT to incorporate the Chicago Academy of Design.

- SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Leonard W. Volk, Henry C. Ford, Chas. Knickerbocker, Sanford E. Lorin, Alvah Bradish, John C. Cochrane, W. Cogswell, Conrad Diehl, James F. Grokins, Louis Kurtz, Rufus E. Moore, Theodore Price, P. Fisher Ried, Walter Shirlan, George P. A. Healy, Charles Peck, and such other persons as now are or hereafter shall become members thereof, be and they are hereby created a body politic and corporate,
- Corporators.** by the name and style of "The Chicago Academy of Design;" and, by that name and style, shall have perpetual succession, with power to sue and be sued, to plead and be impleaded, and to have and use a common seal and to alter the same at pleasure.
- Name and style.**
- Objects.** § 2. The objects of the Chicago Academy of Design are, the founding and maintenance of schools of art, for the cultivation and extension of the arts of drawing, painting, sculpture, architecture, engraving, and design, and for the formation of a gallery of objects of arts.
- Rules and regulations.** § 3. The said corporation shall have power to prescribe rules and regulations for the admission of members and for their government and for expelling them for the non-observance of its by-laws.
- May hold and convey real estate.** § 4. The said corporation may purchase, hold, lease and convey real estate, for its use and benefit, and for the purposes for which it is hereby created.
- Exempt from taxation.** § 5. The personal property of said corporation, used for the purposes for which it is created, shall be exempt from taxation.
- § 6. This act shall be a public act, and shall take effect and be in force from and after its passage.
- APPROVED March 10, 1869.

* AN ACT to incorporate the Chicago Club.

In force March
25, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Philip Wadsworth, Charles B. Farwell, Octavius Badger, Emory Washburn, jr., George Henry Wheeler, Edmund Carrey, William J. Barney, and their associates, successors and assigns, be and they are hereby created a body politic and corporate, under the name and style of "The Chicago Club," with all powers, rights, privileges and immunities incident to corporations and necessary or useful for the purposes of this act. Corporators.
Name and style.

§ 2. The business and affairs of the said corporation shall be conducted by an executive committee, consisting of not less than five nor more than nine persons, as may be determined, from time to time, by the by-laws. The said corporation shall, also, elect a president, (who shall also be, *ex-officio*, a member of the executive committee), a vice-president, a secretary, and a treasurer; and may appoint such other officers and servants as may, from time to time, be deemed expedient. All elections of officers, including the members of the said executive committee, held under the provisions of this act, shall be by ballot; and all persons so elected shall hold office for one year and until their successors are elected and qualified. The said corporation shall, also, have power to make such rules and by-laws, not inconsistent with the laws of this state or of the United States, as may, from time to time, be deemed expedient, for determining the mode of electing members of the said corporation, and the time and place of electing the officers thereof, and the powers and duties of the said officers, respectively, and for the general government and control of all the officers, agents, servants, property and affairs of said corporation. Manner of doing
business.
Officers.
Rules for gov-
ernment.

§ 3. The said corporation shall have power to acquire, by purchase, lease or otherwise, such real estate, in the city of Chicago, as may be necessary or convenient for the lawful and proper use of the members of the said corporation as a club house, and, for such purposes, may furnish and equip the said club house, as may be deemed expedient. Real estate.

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

APPROVED March 25, 1869.

In force March 25, 1869. AN ACT to incorporate the Chicago Literary, Art and Social Association.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Philip Wadsworth, I. N. Stiles, William Wightman, E. D. Marsh, and their successors, be and they are hereby created a body corporate and politic, by the name of "The Chicago Literary, Art and Social Association," for the purpose of establishing in the city of Chicago a reading room and gallery of art, and for the promotion of social intercourse.

Corporators.

Name and style.

Amount capital stock. § 2. The capital stock of said corporation shall be one hundred thousand dollars, which 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.

Corporate powers. § 3. 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 named in the first section of this act, and thereafter of not less than three nor more than seven stockholders, who shall be chosen each and every year, at such time and in such manner as the said corporation shall, by its laws, prescribe. 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. 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. And said corporation is invested with all the power and authority incident to corporations, for the purposes hereinbefore mentioned.

First board of directors.

Vacancies.

Rules for government.

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

APPROVED March 25, 1869.

In force March 26, 1869. AN ACT to incorporate the Chicago Musical and Thespian Association.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William Gastfield, Clemens Hirsch, Christian Bartman and L. B. Sidway, and their associates and successors, and all such persons as shall become stockholders in the association hereby created, shall be a body politic and corporate, by the name and style of "The Chicago Musical and Thespian Association;" and, by that name, they and their successors shall be known, and have perpetual succession; may sue

Corporators.

Name and style.

Corporate powers.

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.

§ 2. The capital stock of said association shall be fifty 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 association in such manner as its by-laws may prescribe.

Amount capital stock.

§ 3. It shall be lawful for said association to acquire, purchase and hold, lease or sell and dispose of such real estate, as may be necessary for conveniently and economically carrying out the objects of the association, which are to furnish means for educating persons having musical or dramatic tastes, and for furnishing musical and dramatic entertainments, under such rules and regulations as the directors may think for the best interest of the association; 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 out the objects of the association.

May purchase, hold and convey real estate.

§ 4. The affairs of the association shall be managed by a board of not less than three directors, all of whom shall be stockholders in said association; 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 fifty thousand dollars of the capital stock shall have been subscribed; and any two of the corporators herein named may be commissioners to open books for subscriptions to the capital stock.

Management.

Board of directors.

§ 5. The directors shall, annually, elect a president and vice-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 association 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 and fix their remuneration, require bonds, and do all other acts that they may deem expedient, to promote the interest of said association, not inconsistent with the laws of the state or of the United States; but no by-laws shall be passed without the consent of a majority of the directors; and all the acts of the duly appointed agents of said association, done and performed under authority of its by-laws, rules and regulations, shall be binding on said association.

Annual election.

May make, alter and amend by-laws.

§ 6. After the organization of the association and the election of its first board of directors, an election of directors shall be held, annually, on the first Tuesday after the first

Election of board of directors.

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 association, and may vote in person or by proxy.

Powers of the directors.

§ 7. The directors shall have power to call for any balance due on the subscription to the capital stock of said association, at such times and in such installments as they deem proper; and in the event of the non-payment of any call within sixty days after due notice has been given, (which may be by letter, mailed to his or her address, as it appears on the stock books of said association), it shall be lawful for the directors, at their option, to enforce such payment 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 association; 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.

Dividends, how and when declared.

§ 8. It shall be lawful for the directors of said association, from time to time, to make and declare and pay dividends upon the capital stock of said association, in such manner and in such amounts as they may deem most expedient, for the interest of said association.

Books for record of names.

§ 9. Said association 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 the transfers thereof, also a record of the proceedings of the stockholders of said association, 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 stockholder.

Liable for debts.

§ 10. The property and effects of said association shall be liable and subject to execution and sale for the debts owing and due by said association.

Banking business prohibited.

§ 11. Nothing in this act contained shall be construed as conferring banking powers upon the corporation hereby created.

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

APPROVED March 26, 1869.

AN ACT to incorporate the Chicago Sorosis.

In force March
13, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Delia L. Waterman, Agnes N. Knowlton and Cynthia H. Leonard, and such other persons as may associate with them, are hereby created a body corporate, for literary and such other purposes as are hereinafter specified, by the style and name of "The Chicago Sorosis; and, by that name, may contract and be contracted with, sue and be sued, plead and be impleaded, answer and be answered unto, in all courts and places; may adopt, have and use a common seal, and may, at pleasure, change and break the same.

Corporators.

Name and style,

§ 2. The capital stock of this corporation shall be fifty thousand dollars, and shall be divided into shares of one hundred dollars each; and subscriptions thereunto may be received by the persons named in the first section of this act, or by them and such other persons as they may desire as their associates; and such subscriptions shall be paid at such times and in such installments as shall be determined upon, before such subscriptions are made, by the persons named in the first section of this act, or by any two of them; and after such subscriptions are made, certificates of stock shall be issued by said corporation to such subscribers for the number of shares subscribed by each, in which shall be stated the sum paid on each share, and the sum to be thereafter paid, and the time or times when the same shall be paid or shall be due and payable; and such stock certificates may be assigned from the owner to another, but such assignor and assignee shall be bound to pay such sum or sums at the time or times therein specified; and when payment is made upon any such stock the old certificate shall be surrendered to said corporation and a new one, of like form as above specified, shall be issued, stating therein the amount then paid and thereafter to be paid, and the time or times of such payment; and so on, from time to time, new certificates shall be issued, until the stock by such certificate or certificates represented shall be fully paid.

Amount capital
stock.Time of pay-
ment.

§ 3. Said corporation shall have power, in its corporate name, to print and publish, or cause to be printed and published, a daily, weekly and monthly paper, containing news and information, general and particular, as well as matter of a literary, philosophical, scientific, governmental, political character, and any other matter which will improve or tend to improve the moral, intellectual or political status of mankind, or which may tend to the eradication or diminution of error, or which may tend to the unfolding or developing of truth and correct principle as to anything whatever; and such paper or papers, so printed and published, said corporation may sell for such price or prices as to it

May publish a
newspaper.

shall seem meet, or may otherwise dispose of and circulate the same, in all places whatever.

Book-binding. § 4. Said corporation shall, also, have power to print and bind books or papers and pamphlets for others, and shall also have power to buy and sell books or any other printed or engraved matter or thing.

May purchase and hold property. § 5. Said corporation shall also have power to purchase, hold, possess and enjoy any such property as may be necessary, needful and convenient for the transaction of its business and the exercise of the powers in this act granted; and when any such property shall be no longer needed, said corporation may sell the same for such price or prices and upon such time or times and conditions as to it shall seem meet. Said corporation may become the payee of any promissory note made for any indebtedness to it, and shall also have power to borrow money, at any rate of interest not exceeding ten per centum per annum, and therefor may give its promissory note or notes, bond or bonds; but shall not give its bond or bonds, promissory note or notes, except for borrowed money or other debt which it actually owes, and which was incurred in the exercise of its expressed powers.

Directors to manage affairs. § 6. The powers of said corporation shall be exercised and its business affairs shall be managed and controlled by a board of three directors, all of whom shall be stockholders, or by its officers and agents, or by said board and its officers and agents.

Officers. § 7. The officers of said corporation shall be a president, secretary, treasurer and such other officers as the board of directors may, by resolution or by-law, create or appoint; and the duties and powers of each officer or agent of said corporation shall be such as the board of directors shall declare, fix, determine, by order, resolution or by-law; and the board of directors may appoint such and so many agents, and from time to time, as by said board shall be thought expedient, for the timely and proper transaction of the business of said corporation.

To establish by-laws and regulations. § 8. The board of directors of said corporation shall have power to make by-laws and to pass all such orders and resolutions, as to the property, business affairs and powers of said corporation, as to said board shall seem meet, not repugnant to this act or to the laws and constitution of this state or of the United States; and all, any or either of such by-laws, orders and resolutions may abrogate or rescind at pleasure, and the same again review, alter or amend.

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

APPROVED March 12, 1869.

AN ACT to incorporate the Deutsch Katholischer St. Vincenz Verein. In force March 27, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Maximilian Philipp, Joseph Philipp, Joseph A. Buselmayer, Lorenz Duginger, John Lutz and Joseph Glas, and their associates and successors, are hereby constituted a body corporate and politic, by the name and style of "The Deutsch Katholischer St. Vincenz Verein;" to be located in the city of Springfield, county of Sangamon, in this state; and, by the above name, to have perpetual succession, to contract and be contracted with, sue and be sued, to plead and be impleaded, in all courts and places whatsoever, and to do and perform all such acts and things as are or may become necessary for the furtherance and advancement of the purposes of said incorporation, as fully and completely as natural persons might do; may have and use a common seal, and alter the same at pleasure.*

Corporators.
Name and style.
Corporate powers.

§ 2. The objects and purposes of said corporation shall be to advance general education, to extend relief and aid to its members in case of sickness or infirmity, and to bury deceased members and assist their orphans.

Objects of the corporation.

§ 3. The said corporation may receive, take and hold, either by gift, purchase, devise or bequest, real estate and personal property, not to exceed in value the sum of ten thousand dollars, for the use of and for the advancement of the purposes of said corporation; and may rent, lease, sell, convey, or in anywise dispose of the same, according to the by-laws of said corporation.

May receive gifts, etc.

§ 4. The officers of said corporation shall be a president, vice-president, secretary, treasurer, librarian and a permanent committee to have charge of the poor—said committee to consist of eight members, two for each ward in the city of Springfield. In case of vacancy in either of the above offices, the president shall fill the same by appointment until the next regular election of officers. The election shall be annual, and at such times as shall be prescribed by the by-laws of the society.

Officers.
Duties of.
Vacancies.

§ 5. To qualify persons to become members of the society, they must be residents of said city of Springfield, of good moral character: *Provided*, that the said society shall make and establish such qualifications as to membership as to them shall seem fit.

Membership.

§ 6. Said corporation is hereby authorized to establish such rules, regulations and by-laws, for its own management, as it may deem proper, and to alter the same; such by-laws not to conflict with the laws of this state or the United States.

To alter and amend rules and by-laws.

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

APPROVED March 27, 1869.

In force March
31, 1869.

AN ACT to incorporate the Germania Maennerchor.

Corporators.

Name and style
Corporate pow-
ers.

Objects of the
corporation.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That H. Balatka, Dr. H. J. Bluthardt, H. Claussenius, F. Roesch, and their associates and successors, are hereby created a body corporate and politic, to be styled "The Germania Maennerchor;" and, by that name, to remain in perpetual succession, with power to contract and be contracted with, sue and be sued, to hold all kinds of property, real, personal and mixed, which they may acquire, by purchase, donation, devise or otherwise, necessary to accomplish the object of the incorporation, and the same to dispose of and convey or incumber at pleasure; to have and to use a common seal, and to alter the same at pleasure; to pass by-laws for the government of the corporation, its officers and agents, not inconsistent with the constitution and laws of this state; and shall have and enjoy and may exercise all powers, rights and privileges which other corporate bodies may lawfully have, enjoy and exercise, for the purpose mentioned in this act.

§ 2. The objects contemplated by this act of incorporation are, to build up and maintain, in the city of Chicago, county of Cook, state of Illinois, a musical society, and, by means thereof, to foster and advance a taste for music and social gatherings, and the refined enjoyments of life.

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

APPROVED March 31, 1869.

In force March
29, 1869.

AN ACT to incorporate the Germania Maennerchor of Chicago.

Corporators.

Name and style.
Corporate pow-
ers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That H. Claussenius, George Schnider, F. Roesch, Dr. H. J. Bluthardt, Hans Balatka, and their associates and successors, are hereby created a body corporate and politic, to be styled "The Germania Maennerchor;" and, by that name, remain in perpetual succession, with power to contract and be contracted with, sue and be sued; to hold all kinds of property, real, personal and mixed, which they may acquire by purchase, donation, devise or otherwise, not to exceed fifty thousand dollars in value, necessary to accomplish the object of the incorporation, and the same to dispose of and convey or incumber at pleasure; to have and to use a common seal, and to alter the same at pleasure; to pass by-laws for the government of the corporation, its officers and

agents, not inconsistent with the constitution and laws of this state; and shall have and enjoy and may exercise all the powers, rights and privileges which other corporate bodies may lawfully have, enjoy and exercise, for the purposes mentioned in this act.

§ 2. The objects contemplated by this act of incorporation are to build up and maintain, in the city of Chicago, county of Cook, and state of Illinois, a musical society, and, by means thereof, to foster and advance a taste for music and social gatherings and the refined enjoyments of life. Objects of the corporation.

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

APPROVED March 29, 1869.

AN ACT to incorporate the Gesang and Unterstuetzungs Verein.

In force March 15, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Henry Kœppe, president; Fred Weber, vice-president; John C. Enders, secretary, John Ballway, treasurer, and the other members at present belonging to the Gesang and Unterstuetzungs Verein, now existing in the city of Litchfield, in Montgomery county, in this state, and such other persons as may hereafter be admitted members of said association, according to the constitution and by-laws thereof, be and hereby are declared and constituted a body politic and corporate, under the name and style of "The Gesang and Unterstuetzungs Verein;" and, hereafter, shall be known by that name and style; and, by that name, to remain in perpetual succession, with power, in and by that name and style, to sue and be sued, plead and be impleaded, prosecute and defend in all manner of actions of law or equity, in all courts whatsoever, and, if necessary, to sign, execute and deliver, by the president and secretary of said association, for the time being, under the seal thereof, all arbitration and other bonds, in obtaining the legal rights and advancing the interests of said association; and also in and by such name, to acquire, purchase, hold, grant, bargain and sell, alien and convey such real and personal estate as shall be necessary to said corporation; and to have and use a common seal, and to alter the same at pleasure; and to make and, from time to time, to alter as the association may deem proper and expedient, the constitution and by-laws of said association, declaring and containing the times and manner of election for officers of said association, and the number and duties of such officers, and such other pro- Corporators.

Name and style.

Corporate powers.

visions, for the good government, general welfare, improvement and existence of said association, as a majority of the members may determine: *Provided*, such constitution and by-laws shall not be in conflict with the constitution of the United States or of this state or the laws thereof.

May hold personal property.

§ 2. The said corporation shall not, at any one time, hold personal property to a greater amount than fifty thousand dollars, nor real estate to a greater amount than twenty-five thousand dollars. The personal property belonging to the association shall not be appropriated otherwise than for the benefit of said association, and the use and purpose for which it is founded: the improvement of the real estate of the association and such benevolent and other purposes and in such manner as shall be declared, provided for and directed in the constitution and by-laws hereinbefore authorized to be made.

Admission fee.

§ 3. The said corporation shall have power to assess such initiation fee and such monthly, quarterly and yearly dues as may be wanted for the purpose of carrying out the object of said society, and may sue its individual members and collect the same by law.

Objects of the corporation.

§ 4. The object of this association is hereby declared to be to unite the members thereof in a bond of brotherhood and mutual friendship, to minister to their wants in sickness, and afford relief in their necessities; to bury those who may die, to aid the widows and children of such as may die, and to provide for the widows and orphans of the members of this association, if needy; and, generally, by all means within the control of the association, to ameliorate the condition, both moral and physical, of the members of this association and their widows and orphans.

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

APPROVED March 15, 1869.

In force March 26, 1869.

AN ACT to incorporate the Grand National Museum of Chicago.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Joseph H. Wood, Thomas H. Wood, Henry Fuller and Edwin W. Jewell, their associates and successors and all such persons as shall become stockholders, be and they are hereby created and constituted a body corporate and politic, by the name and style of "The Grand National Museum;" and, by such name, shall have perpetual succession.

Name and style.

§ 2. The said corporation is hereby authorized to establish, maintain and operate a museum, in the city of Chicago, and may purchase and acquire the property of any museum or unite therewith; may purchase and acquire works of art, natural and other curiosities, relics, minerals, and paintings, and to exhibit the same; purchase, hold, mortgage and convey real estate and personal property, not to exceed two hundred thousand dollars in value; erect, purchase, hold or rent buildings necessary to carry on its operations; may establish, maintain and operate a lecture room, in connection with said museum, for the purposes of dramatic and other exhibitions and entertainments, and, generally, do any and all acts necessary to carry on its operations successfully.

Objects of the corporation.

§ 3. The said corporation is authorized and empowered to establish, in connection with said museum, an art gallery, for the purpose of promoting a taste for the fine arts, and for the purchase, sale, disposal and exhibition of paintings and other works of art, and may award premiums.

Art gallery.

§ 4. The capital stock of said corporation shall be two hundred thousand dollars, with power to increase the same to five hundred thousand dollars. It shall be divided into shares of one hundred dollars each, and be assigned and transferred in such manner and on such conditions as the board of directors of said corporation may direct.

Amount of capital stock.

§ 5. 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 Joseph H. Wood, Thomas H. Wood, Henry Fuller and Edwin W. Jewell, and, thereafter, of not less than three nor more than eleven of the stockholders, who shall be chosen each and every year, at such time and in such manner as the said corporation may, 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 said 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 or of the United States.

Corporate powers.

First board of directors.

Term of office.

§ 6. The said corporation may have a common seal, with power to change the same; may sue and be sued, answer and be answered unto, and have process, and enjoy all the rights, privileges and immunities necessary to carry into full effect the objects and provisions of this act.

Powers.

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

APPROVED March 26, 1869.

In force March 25, 1869. AN ACT to incorporate the Grand Lodge of the Independent German Order of the Harugari of the State of Illinois and the subordinate lodges under its jurisdiction.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Philipp Steinmueller, Joseph Oswald, Frederick Kuchner, Adam Buehler G. F. Gross and Ph. Pfeifer, and their successors and associates, shall be and the same are hereby declared to be a body politic and corporate, by the name, style and description of "The Grand Lodge of the Independent German Order of the Harugari of the State of Illinois."

§ 2. The said corporation shall have power to sue and be sued, plead and be impleaded, prosecute and defend, in all manner of actions, at law or equity, in all courts whatsoever, and, if necessary, to sign, execute and deliver, by the presiding officer and secretary of said association, for the time being, under the seal thereof, all arbitration and other bonds in obtaining the legal rights and advancing the interests of said corporation; and, also, in and by such name, to acquire, purchase, hold, grant, bargain sell, alien, convey and lease any property, whether real, personal or mixed, and to loan the moneys and funds of said corporation, and take promissory notes, bonds, mortgages and other evidences of indebtedness for the moneys and funds so loaned; and to have and use a common seal, and alter the same at pleasure; and to make, and from time to time alter, as the corporation may deem proper and expedient, the constitution and by-laws of said association, declaring and containing the objects, purposes and intentions of said corporation, the times and manners of election for officers of said corporation, and the number, names and duties of such officers, and such other provisions, for the good government, general welfare, improvements and existence of said corporation, as the majority of the members may determine. Such constitution and by-laws may, also, provide the manner in which new members may be received, and for the appointment of such other officers and agents and the manner of such appointment as may be deemed best by the majority of the members of said corporation: *Provided*, such constitution and by-laws shall not be in conflict with the constitution of the United States or of this state or the laws thereof.

§ 3. The said corporation shall have power to assess such initiation fee and such monthly, quarterly and yearly dues, as may be wanted for the purpose of carrying out the object of said corporation, and may sue its individual members and collect the same by law.

§ 4. The said corporation shall not, at any one time, hold personal property to a greater amount than one hun-

May possess
real and person-
al estate.

dred thousand dollars, nor real estate to a greater amount than two hundred thousand dollars. The personal property belonging to the said corporation shall not be appropriated otherwise than for the benefit of said association and the uses and purposes for which it is founded, the improvement of the real estate of the corporation, and such benevolent and other purposes, and in such manner as shall be declared, provided and directed in the constitution and by-laws hereinbefore authorized to be made.

§ 5. Each subordinate lodge under the jurisdiction of the aforesaid grand lodge, now in existence or which may hereafter be chartered by the same, is also hereby declared to be a body politic and corporate, by and under the name, style and number set forth in their respective charters; and, by such names and designation, they may, respectively, sue and be sued, plead and be impleaded, and have the same powers, rights and privileges, and be subject to the same conditions, as are given to the Grand Lodge of the Independent German Order of the Harugari of the State of Illinois, by section two, three and four of this act. Jurisdiction of lodge.

§ 6. The corporation created by the first section of this act shall have the right, power and privilege, to give charters to such persons as may be desirous to form a subordinate lodge, and give such subordinate lodge a name or designation, by which it shall be known, and to make such by-laws, rules and regulations, for the government of its subordinates, as shall be deemed advisable, and to alter and amend the same at pleasure. Grant charters.

§ 7. In case any subordinate lodge, under the jurisdiction of said grand lodge, shall cease to exist or forfeit its charter, then all the estate, real and personal, together with all the records, books, papers, vouchers, furniture, jewels, seal and fixtures belonging to such lodge shall immediately rest in said grand lodge. And all personal property, books, records, papers, vouchers, jewels, seals, furniture, deeds, money, evidences of debt, leases or mortgages, belonging to said lodge, so forfeiting its charter or ceasing to exist, shall be delivered over, by its last secretary or treasurer, of the same, or any other person having custody of them, to the proper officer or agent of said grand lodge, on demand, and on failing to do so, each and every member of such delinquent lodge shall be liable to said grand lodge, in an action of debt, for the full value of the same. All property to rest in Grand Lodge.

§ 8. This act shall be deemed a public act, and shall be liberally construed by all courts, for the benefit of the corporations herein created, and shall take effect and be in force from and after its passage.

APPROVED March 26, 1869.

In force March
26, 1869.

AN ACT to incorporate the Illinois Normal Alumni Association.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the present members of the Illinois Normal Alumni Association, and such other persons as may hereafter become members of said society, according to the constitution and by-laws thereof, be and are hereby created a body politic and corporate, by the name and style of "The Illinois Normal Alumni Association;" [and] shall have perpetual succession, and, by that name, shall have power to contract and be contracted with, to sue and be sued, plead and be impleaded, in all courts of competent jurisdiction; may receive, acquire and hold real and personal property, as may be necessary for the uses and purposes of said association, and may sell and dispose of the same at pleasure; may receive, take and hold any gifts, devises, bequests or donations which may be made; 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.

Election of officers. § 2. 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 as may be prescribed by the constitution and by-laws of the society.

Deeds proved by corporate seal. § 3. All deeds and instruments in writing for the conveyance of any of the property of said association shall be made under the corporate seal thereof, and signed and acknowledged by the president and secretary thereof, in conformity with the laws of the state.

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

APPROVED March 26, 1869.

In force March
25, 1869.

AN ACT to incorporate the Mathesian Literary Society of Southern Illinois College.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That E. Frank Bush, Oliver G. Brockett, Benjamin F. Bundy, Etherton Abram, M. James, M. Fitch, Chester M. Freeland, Ross Grayham, James A. Garrod, William G. Heape,

Samuel Harwood, Humphrey B. Hamilton, Ira B. Jackson, J. W. Herrin, Charles Leavenworth, Aaron H. Mulkey, Robert J. McElrain, Thomas Mason, James H. Nutting, P. S. Pope, John Qualls, Silas B. Rogers, George W. Rawland, Marshal T. Russell, Thomas Stollar, Christopher C. Stollar, Hollis E. Spear, Isaac T. Spence, Morton M. Thompson, Rolla B. Thompson, John S. Williams, Frank L. Williams, George W. Williams, J. Newton Taylor, John W. Clymers, Daniel M. West, A. D. Norman, Thomas Porter, Samuel Schwartz and their successors, be and are hereby created a body corporate and politic, to be styled "the Mathesian Library Society of Southern Illinois College;" and, by that name, to remain and have perpetual succession, with full power to sue and be sued, plead and be impleaded, defend and be defended against, both in law and equity, in any and all courts of this state having jurisdiction of the subject matter thereof; to contract and be contracted with; to purchase, acquire and hold, sell and convey property for library or society purposes; to have and to use a common seal, to be altered, amended or renewed at their pleasure; to make, alter or amend a constitution, by-laws and rules of order for the government of said society; and, finally, to do whatever may be necessary to carry out fully the objects of this act of incorporation.

Name and style.

Corporate powers.

§ 2. Said society shall be located in the town of Carbondale, county of Jackson, and state of Illinois. The object of said society shall be the mutual improvement of its members in elocution, composition and debate.

Location of society.

§ 3. The officers of this society shall be a president, recording secretary, treasurer, critic, editor, librarian and janitor, and such other officers as may be necessary to carry out the objects of this act, who shall constitute a board of directors.

Officers, etc.

§ 4. The property, of whatsoever kind or description, already acquired or hereafter obtained, belonging or appertaining to said society, shall be forever free and exempt from taxation for all and every purpose whatever, whether state, county, city or village, corporation, school or road taxes.

Exempt from taxation.

§ 5. Any donation, devise or bequest made for special purposes, in accordance with the objects of said society, if the society accept the same, shall be faithfully applied, in accordance with such special purpose.

Application of bequests.

§ 6. The present officers shall continue in authority until their successors are duly elected and installed.

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

APPROVED March 25, 1869.

In force March
31, 1869.

AN ACT to incorporate the State Microscopical Society of Illinois.

Preamble.

WHEREAS, it is eminently conducive to the public good of a state to foster and encourage such institutions in its midst as have for their object the dissemination, advancement and promotion of sound and useful knowledge; and whereas, the cultivation of a public taste for scientific inquiry, research and pursuits, is especially to be commended, as invaluable in its material and moral results to the state; and whereas, the persons hereinafter mentioned are associated for the purpose of affording assistance and encouragement to microscopical investigation, by promoting that ready intercourse between those engaged in such pursuits that not only are great advantages mutually gained, an increasing interest in microscopical pursuits largely maintained, but also information of the most valuable kind, disseminated and perpetuated; therefore,

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Hosmer A. Johnson, M. D., Nathan S. Davis, M. D., John H. Hollister, M. D., William C. Hunt, M. D., James V. Z. Blaney, M. D., Joseph W. Freer, M. D., H. Webster Jones, M. D., Thomas C. Duncan, M. D., Walter W. Allport, D. D. S., Ezekiel H. Sargent, chemist, and Messrs. George M. Higginson, Eliphalet W. Blatchford, William E. Doggett, George F. Ramsey, Joseph F. Ryerson, Daniel Thompson, Henry H. Shufeltd, George A. Shufeltd, jr., Samuel A. Briggs, Henry T. Monroe, John Carbutt, John Robson and James Haukey, all of the city of Chicago, so associated for the purpose aforesaid, be and are hereby formed into and constituted a body politic and corporate, by the name of "The State Microscopical Society of Illinois;" and that they and their successors and such others as shall be legally elected by them as their associates, shall be and continue a body politic and corporate by that name forever.

Name and style.

Election of
officers.

§ 2. The said society shall have power to elect a president and all such officers as from time to time may be deemed necessary for the more efficient conduct of its affairs and purposes.

Corporate powers,
how vested.

§ 3. The said society shall have a common seal, and the same may break, change and renew at pleasure; and, as a body politic and corporate, may sue and be sued, and prosecute and defend suits, both in law and equity, to final judgment and execution.

By-laws for its
government.

§ 4. The said society shall have power to make all orders and by-laws for governing its members and property, not repugnant to the laws of this state, and may expel, disfranchise or suspend any member who, by his conduct, shall

be rendered unworthy or who shall neglect or refuse to observe the rules and by-laws of the society.

§ 5. The said society may, from time to time, establish rules for electing officers and members, and also times and places for holding meetings; and it is hereby empowered to take and hold real or personal estate, by gift, grant, devise or purchase, or otherwise, and the same or any part thereof to alien and convey: *Provided*, that the corporation hereby created shall not at any time hold real estate, the value of which shall exceed one hundred thousand dollars. General powers.

§ 6. The said society shall have power to elect corresponding and honorary members thereof in the various parts of the state and of the several United States and also in foreign countries, at its discretion; and Hosmer A. Johnson, or any other person named in this act, is hereby authorized and empowered to notify and call together the first meeting of said society, with power to adjourn, from time to time, as may be found necessary. Honorary titles.

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

APPROVED March 31, 1869.

AN ACT to incorporate the Munsellian Literary Society of Bloomington. In force March 27, 1869.

WHEREAS, an association has heretofore been formed in the city of Bloomington, called the Munsellian Literary Society of the Illinois Wesleyan University, the object of which is the establishment of a society and library for literary purposes: now, therefore, in order to encourage and promote the above declared object of the said society, Preamble.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That J. A. Northup, R. E. Moore, M. L. Kiplinger, A. G. Scott, A. C. Byrely, M. L. Fullinwider, A. B. Sinely, R. W. Barger, D. N. Caldwell, R. B. Porter, P. Smith, J. V. Willis, and their associates and successors, forever, are hereby declared and created a body corporate, by the name and style of "The Munsellian Literary Society of Bloomington, 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, 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 society; may have a common seal, and alter the same at pleasure; may make such constitution, regulations and by-laws as may be requisite Corporators. Name and style.

for its government, and for carrying out the objects of the society, and not contrary to the laws of the land, or to the rules and regulations of the said Illinois Wesleyan University, and may alter the same at their pleasure.

Rules for government.

§ 2. The constitution and by-laws now in force shall govern the corporation hereby created until regularly altered or repealed by the society; and the present officers of the said society shall be officers of the corporation until their respective terms of office shall regularly expire or be vacated.

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

APPROVED March 27, 1869.

In force March 4, 1869.

AN ACT to incorporate the Rockford Waltonian Club.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the Waltonian Club, composed of S. W. Stone, Jno. R. Porter, C. I. Hossman, E. H. Griggs, A. H. H. Perkins, I. S. Hyatt, Geo. M. Smith, M. Starr, D. D. Alling, A. Paxon, S. C. Withrow, G. D. Palmer, S. M. Church, Horace Chandler, H. D. Frost, John P. Manny, A. C. Shafford, A. D. Forbes, A. N. Nicholds and H. Richings, of Rockford, Illinois, as members, and having as officers a president, secretary, treasurer and steward, be and hereby is declared and constituted a body corporate and politic, and, by that name, shall have perpetual succession, and be capable of contracting and being contracted with, suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended against, in all courts of justice and equity.

Body corporate and politic.

By-laws, etc.

§ 2. The by-laws, rules and regulations of the said club, for the regulation and management of its affairs, which shall be applicable under this act, and which are not contrary to the constitution and laws of the United States and this state, shall continue to be in force and operation until annulled, altered and amended; and the said club shall have power and authority to make, and, from time to time, alter and amend, such by-laws, rules and regulations, not inconsistent with the constitution and laws of the United States and this state, as its members may deem necessary and proper for the management of its affairs.

Object's of the corporation

§ 3. The object and purpose of said club being to afford opportunities for and promote out-door exercise, amusements and sports, fishing and hunting, and social enjoyment amongst its members, the said corporation shall have

power and authority to acquire, hold and own lands, not exceeding one hundred acres, with water privileges, and erect buildings and make other improvements thereon; acquire, own, hold and control boats and other water crafts, fishing tackle, sporting apparatus, and property of any kind, for the use and enjoyment of its members, and proper in view of the objects of the corporation; and, at pleasure, to sell and dispose of any of the aforementioned property.

§ 4. Said corporation may, at any time, increase the number of its members, upon such terms and regulations as the then members may prescribe, and may provide for and appoint such other officers as may be deemed proper, and prescribe the duties of the same. Increase of members.

§ 5. No debt shall be incurred by said corporation, nor assessment made upon its members, nor any of its property sold, without the concurrence of three-fourths of its members present at a regular meeting. A majority of said members shall constitute a quorum at any regular or special meeting: *Provided*, that none of the real estate belonging to said corporation shall be disposed of unless directed by vote of three-fourths of the whole number of members of said club. Debts not to be incurred.

§ 6. Said corporation may have and use a common seal, and alter the same at pleasure; and, generally, may do and perform such acts and things as are necessary and proper to carry into effect the objects and purposes of said corporation. Corporate powers.

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

APPROVED March 4, 1869.

AN ACT to incorporate the Svea Society of the city of Chicago.

n force March 8, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Charles J. Sundell, Charles Stromberg, Peter M. Almind, John A. Nelson, Frederic T. Engstrom, Siren Olin, Peter Hus-sander, John M. Schonbeck and Carl J. Sindelow, and such other persons as are now members of an association in the city of Chicago, called the Svea Society, and such other persons as may, from time to time, become members of the corporation hereby created, are hereby made and constituted a body politic and corporate, with perpetual succession, by the name and style of "The Svea Society;" 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 Corporators.

Corporate name and powers.

and places, and in all matters and places whatsoever; with full power to acquire, hold, occupy, enjoy and convey all real and personal estate, not exceeding in value the sum of twenty-five thousand dollars. They may have a common seal, and the same may alter, break and renew at pleasure. They may adopt a constitution, rules, by-laws and regulations, to further the objects of their incorporation, not repugnant to the constitution of this state or of the United States—all in such manner as shall to them, from time to time, seem necessary. They may annex to the breach thereof such penalty, by fine, dismissal or expulsion, as they may deem fit; and the constitution, by-laws, rules and regulations of the present (the) Svea Society, hereinbefore mentioned, not inconsistent with the constitution of this state or of the United States, shall be in force for this corporation until others shall be adopted.

Objects of the corporation.

§ 2. The object and purpose of said corporation shall be to promote the culture and welfare of its members.

§ 3. The corporation hereby created shall have power to elect and qualify such officers as they may deem necessary, who shall hold their offices for such length of time, and discharge the duties thereof in such manner, as may be established by the constitution and by-laws, rules and regulations, of the society.

§ 4. This act shall take effect and be in force on and after its passage.

APPROVED March 8, 1869.

In force March 10, 1869. AN ACT to incorporate the Societe de Construction Franco-Americaine de Chicago.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all such persons as now are or hereafter may become members of the Societe de Construction Franco-Americaine de Chicago, in accordance with the constitution and by-laws of the said society, shall be and they are hereby ordained, constituted and declared to be a body corporate and politic, in fact and in name, by the name and style of "The Societe de Construction Franco-Americaine de Chicago;" and, by that name, they and their successors shall and may have succession for, during and until twenty years after the passage of this act; and, by their corporate name, shall have power to contract and be contracted with, suing and being sued, pleading and being impleaded; may have and use a common seal; and may purchase, hold and convey any estate or property, real or personal, for the benefit of said

Corporate name and powers.

corporation, but for no other use or purpose; and may do and perform all such acts and things as are or may be necessary for the furtherance and advancement of the purposes of said corporation, as fully and completely as natural persons might or could do.

§ 2. The said corporation shall have full power to make, establish and prescribe, for its government, and the regulation of its business and affairs, and concerning the management and disposition of its own funds, and the number, character, powers and duties of its officers; such constitution, by-laws, rules and regulations as shall, from time to time, appear proper and needful for the proper carrying out and conducting of the business and purposes for which the said corporation is by this act instituted, which it may alter or amend at pleasure: *Provided*, the same be not repugnant to the constitution and laws of this state and of the United States.

Rules for government.

§ 3. The object and purpose of said corporation is to create a building association, to provide a fund and means in aid of such association, and for the mutual benefit of its members; to provide work for its members, when unemployed; to take contracts for the erection and repairs of buildings and their appurtenances; and, generally, to do all the business which a natural person or persons following the trade or business of a builder may lawfully do in and about his trade or business; to which end and for which purpose said company may make and execute such notes, bonds, mortgages, and other evidences of indebtedness, as may be necessary for the effectual carrying on of said business; and may take security from its customers and others upon real estate and chattel property, and may bid in and purchase any real estate or other property, at any judicial or other sale, made by virtue of any debt, security, trust or power held by or for said company; and may receive or take, in satisfaction of any debt or security, any real estate, and hold and dispose of the same for its own use and benefit.

Objects of the corporation.

General powers

§ 4. Said corporation may provide for and create different classes or orders of shareholders thereof, with such rights and privileges, and subject to such payments, duties, restrictions and conditions, for each class or order, as shall by said corporation be adopted; and for the purpose of enabling the said corporation to raise a fund for its purposes, it shall be lawful for it to loan its funds, from time to time, and receive and collect interest on the same, at not exceeding the rate of ten dollars on one hundred dollars for one year, and after that rate for any greater or less sum, or for any longer or shorter time. The corporate rights and franchises hereby granted shall cease and determine at the expiration of twenty years from and after the passage of this act.

Duration of corporation.

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

APPROVED March 10, 1869.

In force March
25, 1869.

AN ACT to incorporate the Benton Law Institute.

- Corporators.** SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Francis M. Youngblood, Andrew D. Duff, Samuel E. Flannigan, William H. Williams, Augustus P. Stover, Charles H. Tayman, William W. Barr, and Daniel M. Browning, and Thomas H. Dillon and their successors are hereby declared and constituted a body corporate, by the name and style of the "Benton Law Institute;" and, by that name, shall have perpetual succession, and shall be capable in law to contract and be contracted with, sue and be sued, plead and be impleaded in all courts of competent jurisdiction, both in law and equity, and shall have power to acquire, hold and enjoy real and personal property, for the purposes and subject to the limitation hereinafter mentioned; may have and use a common seal, and alter or renew the same at pleasure.
- Corporate name and powers.** § 2. The object of this corporation shall be to encourage and establish a regular and systematic study of the law, as a science, and facilitate the means of acquiring a more thorough and perfect knowledge of all the fundamental principles thereof, by practitioners, before entering the profession.
- Object's of the corporation.** § 3. For the purpose of carrying out the foregoing object, the said corporation shall have power to take, hold and acquire, by purchase, grant, gift or devise, real property to the amount, in value, of ten thousand dollars, and personal property to the amount, in value, of twenty thousand dollars; which said property, or its value, shall be divided into shares of one hundred dollars, which shares or stock may be transferred in such manner as the directors, by their by-laws, shall prescribe.
- May receive personal property.** § 4. The board of directors mentioned in section one of this act shall, at their first meeting after this act goes into operation, organize by electing from their body the following officers: a president, secretary, treasurer and librarian; and the said board shall continue in office until the first Saturday in July, A. D. 1870, with full power to fill by appointment all vacancies which may occur by death or otherwise. On the first Saturday in July, A. D. 1870, and on the first Saturday in every two years thereafter, the stockholders shall elect nine directors—the old board in all
- Organization.**
- Officers**

cases to remain in office with full power and authority to transact all business pertaining to the corporation until the new board, or a majority of them, shall meet and organize by electing from among their number the officers aforesaid.

§ 5. The board of directors of this corporation shall have full power to enact and pass all by-laws, not in conflict with the constitution and laws of the United States or of this state, which they may deem necessary in carrying out the ends and purposes of this incorporation, and shall have and exercise among others the following general powers, to-wit: To establish and appoint a regular and permanent faculty, with any or all the following professorships, to-wit: *First*—a professor of law, generally. *Second*—a professor of American and constitutional law. *Third*—a professor of common and ancient law. *Fourth*—a professor of languages. *Fifth*—a professor of history, ancient and modern. *Sixth*—a professor of political economy. To fix the stipend of professors and salaries of officers; to fix and assess the admission fee of students; to fix and prescribe the requisite qualifications of students prior to admission; to ordain and establish a gradation of studies in said institute; to provide for conferring the usual degrees in said law institute, both pro meritis and honorary. But no student shall have conferred upon him the degree of bachelor or master, unless he shall have regularly graduated, nor unless the professor of law shall certify that he is worthy of such degree; to fix the time of commencing the session of said institute, as well as the time of vacation.

Special regulations.

Appointment of faculty.

§ 6. If, from any cause, the biennial election should fail to be held on the day fixed by this act, then the president shall designate some other Saturday for such election, by publication or otherwise, in such manner as may be provided by the by-laws.

Election.

§ 7. The secretary of state shall furnish to the librarian of said institute, for the use of said institute, all the following books and papers, to wit: One copy each of all the statutes, session laws and journals of both houses of the legislature, and the journals of the constitutional conventions of this state, that may now be on hand; and one copy each of the supreme court reports now on hand, or that may hereafter be issued; and also one copy each of all the revised statutes, session laws, senate and house journals, and convention journals of this state, that may hereafter be issued by this state; also, one copy each of the digests of the supreme court, now published or hereafter to be issued, which can be had for public distribution.

Secretary state to furnish books and papers.

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

APPROVED March 25, 1869.

LOAN COMPANIES—INCORPORATED.

In force March
31, 1869.

AN ACT to incorporate the Avon Exchange and Loan Company.

- SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Robert W. Townsend, Stephen Tompkins, Thomas Hovell, Henry V. D. Voorhees, Oliver Crissey, Leander H. Hewitt, Abram N. Baldwin, James M. Churchill, Henry R. Sanderson, Israel Spurgin, Frederic H. Merrill and Leonard F. Ross, and such other persons as may become stockholders in the corporation hereby created, be and are hereby declared and constituted a body corporate, by the name and style of "The Avon Exchange and Loan Company;" may have and use a common seal; and that said bank shall be located at Avon, Fulton county, Illinois.
- Corporators.**
- Name and style.**
- Amount capital stock.**
- Election of directors.**
- May borrow and loan money.**
- § 2. The capital shall be twenty-five thousand dollars, and may be increased by said corporation to any sum not exceeding one hundred thousand dollars, and shall be divided into shares of fifty dollars each. Each subscriber of stock shall pay, at the time of subscribing, twenty-five per cent. of the sum subscribed, and the remainder in such sums and in such manner as may be determined by the directors of said corporation. The corporators mentioned in the first section of this act, or a majority of them, may open books for subscription of stock at Avon, Fulton county, Illinois, at such time and place as they may appoint, upon giving twenty days' notice thereof in some paper published in said county; and when the sum of ten thousand dollars is subscribed, the said corporation, or a majority of them, shall give notice of the time and place, in like manner, to the stockholders to meet and elect five directors, who shall hold their office until their successors are elected under the by-laws of the corporation. The directors shall elect a president from their number and such other officers and agents as they may deem necessary, and shall have power to fill any vacancy in their number. At each meeting of the stockholders, each share of stock shall entitle the owner thereof to cast one vote, in person or by proxy: *Provided*, that the amount due the corporation on such shares of stock so proposed to be represented, shall have been paid at or before the time of such meeting.
- § 3. The said corporation shall be authorized to receive money from any person or persons who may wish to deposit the same; to loan and borrow money—and to receive and pay interest on the same; to buy and sell exchange, bills, notes, bonds or other securities.

§ 4. The said corporation shall have power to purchase and hold such real and personal estate as may be convenient for the transaction of its business; to take and hold any personal or real estate as security for the payment of loans or debts due or to become due to said corporation, and to purchase real or personal estate at any sale to enforce its securities or the payment of debts due, made by virtue of any mortgage, deed of trust, process or other instrument, and to hold said property or to sell and convey the same, or any part thereof, at such price and under such conditions as the directors or officers may determine.

May purchase and hold real estate.

§ 5. The business of said corporation shall be conducted by the directors, and in such manner as they may determine by their by-laws and ordinances. Three of the directors, one of whom shall be the president or vice-president, shall constitute a quorum for the transaction of business. The officers of the corporation shall perform such duties as may be enjoined upon them by the board of directors and such as are usual in such corporations.

Duties and powers of officers.

§ 6. Whenever default shall be made in the payment of any debt or liability contracted by this corporation, the stockholders shall be individually liable, *pro rata*, according to the shares of stock severally held by them, for the entire amount of such debt or liability.

Stockholders held responsible for debts.

§ 7. In case any stockholder shall fail to pay any installment for thirty days after call therefor, the directors may declare the stock forfeited to the corporation, together with the sums already paid thereon, or may, at their option, sue for and recover the entire amount of subscription remaining unpaid.

Default of payment.

§ 8. That in case said corporation shall not convene and continue business within two years from the passage of this act, the franchises and privileges herein granted shall be forfeited.

Act, when void.

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

APPROVED March 31, 1869.

AN ACT to incorporate the Bushnell Loan, and Deposit Company.

In force March 31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Charles Wilson, James Cole, Stephen A. Hendee, William Shreves, Albert S. Clark, Samuel C. Haines, George P. Seibert, and John B. Cummings, 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 Bushnell Loan and Deposit

Corporators.

Name and style.

Company," to be located in the town of Bushnell, county of McDonough, and state of Illinois; and shall have succession, a common seal, with power to plead and be impleaded, to appoint all necessary 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 loan and deposit company: *Provided*, that if the corporation created by this act shall not be fully organized, as hereinafter provided, within two years from the passage hereof, then this act shall be null and void.

Corporate powers.

Amount capital stock.

§ 2. The capital stock of said company shall be fifty thousand dollars, with liberty to increase the same to two hundred thousand dollars, to be subscribed and paid for in the manner hereinafter provided, 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 provide.

Borrow money and receive deposits.

§ 3. The said corporation shall have power to borrow money, and to receive money on deposit and pay interest thereon, and to loan the said money at any rate of interest, not exceeding that now allowed by law to individuals, and to discount, in accordance with bank usage, and to take such security therefor, either real or personal, as the directors or managers of said corporation deem sufficient, and may buy and sell exchange, bills, notes, bonds or other securities; may have and hold coin and bullion; 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 the order and discretion of any court or tribunal or other legally constituted authority of the state of Illinois or of the United States; may make such special regulations in reference to trust funds or deposits left for accumulation or safe keeping as shall best aid the said depositors or parties interested, by accumulating and increasing the same, allowing and receiving such interest therefor, not greater than that hereinbefore specified, as may be agreed upon; may grant and purchase annuities, issue letters of credit and other commercial obligations: *Provided*, the same shall not be in the similitude of bank notes or other evidence of debt, designed to be circulated as money.

May hold and convey real estate.

§ 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 and to become due to 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,

General powers.

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 of said corporation or as may be deemed by the directors proper and necessary to carry out the business and accomplish the objects of the corporation or for the promotion of its interests.

§ 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 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. The money so received by the commissioners shall be paid over to the directors, when elected. The directors shall elect a president, vice-president and cashier from their body, annually; make and execute such by laws as may be convenient and necessary for the proper prosecution of its business, not inconsistent with this act or with the laws of this state or of the United States; but no by-law of this corporation shall be passed without the consent of a majority of the directors; and all the acts of the duly appointed officers and agents of this company, done and performed under its authority, shall be binding on the company.

Management.

Board of directors.

Election of officers.

§ 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, her or their name on the books of the corporation, and he, she or they may vote in person or by proxy. Any omission or failure to elect directors shall not in any way impair the rights of stockholders, depositors or others interested; and the directors in office shall hold over until their successors shall have been elected.

Annual election for directors.

§ 7. Within sixty days after the election of the first board of directors, as provided in section five of this act, the board of directors shall call in an additional sum of fifteen 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 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 ten dollars per share on the amount subscribed, as provided in the foregoing section, the corporation shall be

Additional subscriptions.

fully organized; and after the payment of twenty-five 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 corporate town of Bushnell, county of McDonough, and state of Illinois, as the said directors may designate.

Stock subscrip-
tions.

Call for pay-
ments due.

§ 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 be 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 stockholder, 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 of the said shares of stock and become liable for the payment of all calls then due or thereafter made on such shares of stock.

Dividends to
be declared.

§ 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 the capital actually paid in; but in no case shall the amount of any dividend be paid over to any stockholder on his, her or their stock until the amount of twenty-five dollars has been paid into said corporation.

Increase capi-
tal stock.

§ 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 any 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 privilege of subscribing to such increased stock, *pro rata*, within such time as the directors may limit, of which due notice is to be given.

Limit of time
for holding real
estate.

§ 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 pub-

lie or private sale, so as to divest the corporation of the title to and fee in the same.

§ 12. The corporation hereby created shall exist for the term of twenty-five years, from the passage of this act. The stockholders in this corporation shall be individually liable to the creditors thereof upon all contracts, obligations and indebtedness made, incurred or accruing during the time they shall have been stockholders and for six months thereafter, to an amount equal to the capital each shall have owned or held thereof; and no assignment of their stock shall release them from said liability until after the fact of such assignment and the 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.

Duration of corporation.

Act, when void.

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

APPROVED March 31, 1869.

AN ACT to incorporate the Cairo Mutual Loan and Building Association. In force March 13, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Alfred B. Safford, Robert H. Cunningham, Thomas W. Halliday, Joseph B. Taylor, Samuel Staats Taylor, George D. Williamson, and their associates and successors, are hereby created a body corporate and politic, under the name and style of "The Cairo Mutual Loan and Building Association," with perpetual succession; and, under this name, be and are hereby made capable to sue and be sued, complain and defend, in any court of law or equity; to make and use a common seal, and alter the same at pleasure, and to exercise all the powers which shall be necessary to accomplish the objects of the association.

Corporators.

Corporate name and powers.

§ 2. The object of this association being to provide a means for the regular, safe and profitable investment of the savings of its members and by those savings to accumulate a fund for the purpose of making loans to its stockholders, whereby they may be enabled to build or provide for themselves dwellings houses or to purchase lots or other real estate, said association shall have power to purchase, hold and convey such real and personal estate as the purposes of

Objects of the corporation.

General powers.

the corporation shall require; to make by-laws, not inconsistent with the laws or constitution of the United States or of this state, for the management of its property, the regulation of its affairs, and the issue and transfer of its stock, and such others as may be necessary to accomplish the objects and purposes of the association; to appoint such subordinate officers and agents as the business of the corporation shall require, and to allow them a suitable compensation, and may impose penalties for breaches of its by-laws.

Stock of minors and married women.

§ 3. Parents or guardians may take and hold shares in this association, in behalf of their minor children or wards, and trustees in behalf of married women, and may act therein in behalf of those they represent.

Investment in bonds or redemption stock.

§ 4. The investments of said association shall be made either in loans to or in redemption of the shares of or in purchasing lots and erecting dwellings for the members or in all of said modes, as the by-laws of the association may provide. The capital stock of said association shall not exceed two hundred and fifty thousand dollars, and the rights, privileges and franchises hereby granted shall continue for the period of fifty years.

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

APPROVED March 13, 1869.

In force March 31, 1869.

AN ACT to incorporate the Fairfield Loan and Trust Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Edward Bonham, Charles A. Beecher, Wm. J. Sailor, Gilbert J. George, Robert P. Hanna, Adam Rinard, Jacob Hall, Wm^d H. Robinson, and 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 Fairfield Loan and Trust Company of Fairfield Illinois;" and shall have succession, a common seal, with power to plead and be impleaded, to sue and be sued, to appoint all necessary assistants; and may have, enjoy and exercise all the powers necessary to carry out and execute all the purposes and intents of a loan and trust company.

Corporate name and powers.

Objects of the corporation.

§ 2. The general business and object of this corporation shall be to receive on deposit, or in trust, such sums of money as may from time to time be offered therefor, by any person or persons, to be repaid to such depositors, when required, at such times, with such interest, and under such regulations as the board of directions may, from time to time, prescribe; which regulations shall be posted up in

some conspicuous place in the rooms where the business of said company shall be transacted.

§ 3. The affairs of the company shall be managed by a board of directors, of not less than five nor more than seven in number; and a majority of such directors shall constitute a quorum for the transaction of business, who shall be stockholders in the corporation. The election of such directors shall be had by the stockholders when ten thousand dollars shall have been subscribed to the capital stock of said corporation and ten per cent paid thereon; and five of the corporators herein named shall be commissioners to open books for subscription. The office of the company, for the transaction of business, shall be located in Fairfield, Wayne county, Illinois.

Management.
Board of directors.

§ 4. 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 such stockholder shall be indorsed on the ballot by the person voting the same; and the person who may receive a plurality of the votes and shares so voted shall be elected. 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 failure to elect directors shall not in any wise impair the right of stockholders, depositors or others interested, and the directors in office shall hold over until their successors shall have been elected.

Annual election of directors.

§ 5. The capital stock of said corporation shall be twenty-five thousand dollars, divided into shares of one hundred dollars each, payable in such installments as the directors may from time to time elect, under such penalties as they may in their discretion adopt; and the directors are hereby appointed and authorized to superintend the subscription to the capital stock of the corporation; and it shall be competent for said directors to commence the business of the corporation when the full amount of stock shall have been subscribed and at least ten per cent of it paid into the treasury.

Amount capital stock.

§ 6. This corporation may loan money, at any rate of interest not exceeding ten per cent. per annum, or may discount, in accordance with bank usages, taking such security therefor, either real or personal, as the directors may deem sufficient. Said corporation shall have power to borrow money, buy and sell exchange, bullion, bank notes, government stocks and other securities; but nothing in this act contained shall confer on said corporation the privilege of issuing notes, similar to bank notes, for the purpose of a circulating medium.

May loan money

May purchase
real estate.

§ 7. It shall be lawful for this corporation 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 the payment of any debt or debts due or to become due to the said corporation; to purchase real estate at any sale made in virtue of any loan, debt or mortgage made to or held by said corporation, and to receive and take, in whole or in part satisfaction of any such loan or debt, any real estate, and to hold and convey the same. Any real estate sold under deed of trust or other conveyances, held as security by said corporation, may be redeemed by the debtor, his, her or their heirs or creditors, by the payment of the debt and costs, together with ten per cent. interest on same, at any time within twelve months after such sale.

Election of
officers.

§ 8. The directors shall elect, annually, from their number a president, vice president and secretary. The cashier may be selected from the stockholders, by the directors. The directors shall make and execute such by-laws as may be convenient and necessary for the proper prosecution of the business of this corporation, not inconsistent with this act or with the laws of this state or of the United States.

Increase of cap-
ital stock.

§ 9. At any time after the full payment of the original stock of fifty thousand dollars, as hereinbefore provided, the directors may increase the capital stock of said corporation to any amount, not exceeding five hundred thousand dollars, in shares of one hundred dollars each; and said increased stock shall be subject to all the liabilities, immunities and privileges of the original stock. Stockholders shall have the option of subscribing to such additional stock, *pro rata*, within such time as the directors may limit.

Married women
or minors, etc.

§ 10. When any deposit is made with said corporation, by a minor or by a female being or hereafter becoming a married woman, the said corporation may pay such depositors any sums of money due to them, and their receipt or acquittance shall be a legal discharge to said corporation therefor,

Stock deemed
personal prop-
erty and trans-
ferable.

§ 11. The stock of this corporation shall be deemed personal property, transferable only on the books of the corporation; and no transfer shall be valid while the party transferring is indebted to the corporation.

Duration of
corporation.

§ 12. This corporation shall exist for the term of fifty years, next succeeding the first of May, A.D. 1869, and shall be entitled to use all its corporate powers and rights and privileges for the period of three years thereafter, for the sole purpose of closing up its affairs. 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 the 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 three years after the passage thereof. The said corporation shall be subject to the provisions of any general law hereafter passed on the subject of banking, trust or deposit companies.

§ 13. This act shall be deemed a public act, of which all courts and magistrates shall officially take notice, and shall take effect on and after its passage.

APPROVED March 31, 1869.

AN ACT to incorporate the Farmers' Exchange, Loan and Trust Company in force March 24, 1869.
of Vandalia.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William H. Lee, Richard T. Higgins, Charles W. Higginbottom, and Z. S. Swan, and their associates and successors, and all such persons as shall become lawfully stockholders in the company hereby created, shall become a body politic and corporate, by the name and style of "The Farmers' Exchange, Loan and Trust Company of Vandalia," 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 the purposes of this act; and the office of the company so created shall be located in Vandalia, Fayette county, Illinois.

§ 2. A majority of the corporators hereby 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 persons subscribing to the capital stock thereof; and each share of capital stock, so subscribed for, shall be entitled to one vote.

§ 3. The capital stock of said company shall be twenty thousand dollars, with power to increase the same to three hundred thousand, to be subscribed and paid for in the manner prescribed by the by-laws to be framed by said company, and shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and shall be transferred on the books of said company in such manner as its by-laws may prescribe.

§ 4. The said company shall have the power to borrow money, and receive money on deposit, and to loan money

within or without the state, at any rate of interest not exceeding that now or hereafter allowed by law to private individuals, and to discount, according to usages of banks, (and in computation of time thirty days shall be a month and twelve months a year), and to make such loans payable either within or without the state, and to take such securities therefor, real or personal or both, as the directors of the company may deem sufficient, and may secure the payment of such loans by deeds of trust, mortgages and other securities, either within or without the state, and may buy and sell bills, notes, exchange, bonds or other securities; may have and hold bullion and coin; and may accept all such trusts, either fiduciary or otherwise, as shall or may be committed to it by any person or persons or by the order or direction of any court or tribunal; may make such special regulations in reference to trust funds or special deposits left for safe keeping, as shall be agreed upon with the depositors or parties interested; may issue letters of credit and other commercial obligations.

May hold real estate in trust.

§ 5. It shall be lawful for the company hereby incorporated to take and hold any real estate, in trust or otherwise as security for or in payment of loans or for debts due or to become due to said company; to purchase real estate at any sale made in virtue or on account of any loan, mortgage or trust made to or held by or for said company or in which it is interested, and to receive or take, in satisfaction of any loan or debt, and to hold, use, improve and convey the same: *Provided*, that no real estate, beyond such as may be necessary for the transaction of business, shall be held by said corporation for a longer period than may be reasonably necessary to enable said corporation to dispose of the same to advantage: *Provided, also*, any real estate sold under deed of trust or other conveyance, held as security by said corporation, may be redeemed by the debtor, his, her or their heirs or creditors, by the payment of the full amount of debt and costs, together with ten per cent. interest on the same, at any time within twelve months after such sale.

Business managed by directors.

§ 6. The affairs of said company shall be managed by a board of not less than three directors, who shall be elected at such time and place as may be prescribed by the by-laws, and shall hold their office for one year and until their successors are elected and qualified.

Rules for government.

§ 7. The directors shall have a right to form by-laws, for the general management and control of the affairs of the company, not inconsistent with the laws of this state or the United States, and declare dividends out of the earnings of said company.

Liability of stockholders.

§ 8. The stockholders herein mentioned 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 these stocks shall release them from such liability until after the fact of such assignment and the 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 the corporation is located and doing business, for the period of three months.

§ 9. This act shall be void, unless said company shall organize and proceed to business within two years of the passage hereof. This corporation shall be subject to the provisions of any general law hereafter passed on the subject of banking, trust or deposit companies. When act to be void.

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

APPROVED March 24, 1869.

AN ACT to incorporate the Mercantile Warehouse and Loan Company. In force March 27, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That R. M. Whipple, Thomas S. Dickerson, George F. Harding, E. B. Sherman, Josiah Lombard, their associates, successors and assigns, be and hereby are created a body corporate and politic, under the name and style of "The Mercantile Warehouse and Loan Company," with perpetual succession, 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 and proper; to make such by-laws, rules and regulations as they may deem expedient, for the government and management of said corporation, and alter, amend or repeal the same at pleasure; to have and use a corporate seal, and the same alter and renew at pleasure; to purchase, lease, possess, enjoy, sell and convey such real estate and personal property, as may be deemed necessary or desirable, for the use of the company or the prosecution of its business; to erect such warehouses and buildings as may be deemed necessary for the use of the company, and to pay for the same in money or stocks or bonds of the company; to receive real estate or any other property in payment for stock. This company shall have full power to receive and store in their own warehouses any and every kind of merchandise or produce, which may be approved of by the board of directors, and fix and regulate the rate of charges thereon, issue warehouse receipts, and shall have the first lien upon any property for which ware-* Corporators.

Corporate name and powers.

General powers.

house receipts have been issued and money loaned thereon, while said property shall remain in its possession, subject to prior liens under existing laws; shall have power to receive in store all kinds of produce, grain excepted.

May lay rail-
road tracks.

§ 2. The said company shall have the right to lay out, contract, build, operate and employ such railroads and appurtenances thereto, to, in and from the property and warehouses of said company, as they may deem proper for the transportation of merchandise and property of any kind, with side tracks in connection with railroads adjacent to said warehouses.

Management.

Board of di-
rectors.

§ 3. The affairs of this company shall be managed by a board of directors, who shall elect such officers and employ such agents as they may deem proper and define their powers and prescribe their duties. The persons named in the first section of this act shall be and hereby are constituted a board of directors, who shall hold office until others are chosen.

Amount of
capital stock.

§ 4. The capital stock of said company shall be two hundred and fifty thousand dollars, which may be increased to any sum not exceeding five hundred thousand dollars, which shall be divided into equal shares, as the board of directors may determine.

May borrow
money.

§ 5. This company may borrow money and issue bonds therefor, at such interest as may be agreed upon, and pledge its property for the payment of the same.

Place of doing
business.

§ 6. The office of said company shall be in the city of Chicago, and its business shall be carried on there, unless extended elsewhere, in the county of Cook, by the board of directors.

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

APPROVED March 27, 1869.

In force March 13, 1869. AN ACT to incorporate the Merchants' National Loan and Trust Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Julius Roemheld, A. F. Stevenson and A. Lobeck, and all such

Name and style.

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 Merchants' National Loan and Trust Company;" and shall have a

Corporate pow-
ers.

common seal, which they may alter or renew at pleasure; power to plead and be impleaded, and defend and be defended, in all courts of law and equity; to have and exercise powers incident to corporate bodies. Said corporation

shall be located in the city of Chicago, in the county of Cook.

§ 2. A majority of the corporators herein named may proceed to open books for subscription, to the stock of said corporation, 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. Open books for subscription.

§ 3. The capital stock of said corporation shall be one hundred thousand dollars, with power to increase the same to three hundred thousand dollars, and shall be divided into shares of one hundred dollars each, which shall be deemed personal property, subject to taxation, and shall be transferable on the books of the corporation in accordance with the rules thereof. Amount capital stock.

§ 4. The said corporation shall have power to borrow money, buy and sell bills of exchange, and other commercial obligations, loan money and discount notes in accordance with bank usage, receive money on deposit, and may, also, accept and execute all trusts which may be committed to it by order of any court. Said corporation shall confine its business exclusively to a commercial and exchange banking business. May borrow money.

§ 5. The said corporation shall have power to purchase and hold such real estate as may be necessary for the transaction of a *bona fide* banking business, and to take and hold any real estate as security for and in payment of losses and debts due or to become due to the corporation, and to purchase real and personal estate at any sale to enforce its securities or the payment of debts due made by virtue of any process, mortgage or deed of trust, and to hold or sell and convey the same. Purchase, hold and convey real estate.

§ 6. The business of said corporation shall be conducted by a board of not less than five directors, to be elected annually by the stockholders, who shall hold their offices until their successors are elected and qualified. The directors shall be stockholders and residents of the said county. Each share of stock shall be entitled to one vote, and may be cast in person or by proxy. The board of directors shall elect a president and cashier, and such other officers and agents may be appointed or employed as said corporation or its officers may see proper. Management. Directors.

§ 7. Before said corporation shall commence business, the whole capital stock shall have been subscribed for and the stockholders shall have paid the several amounts subscribed, in full; and no increase of said capital stock shall be made, at any time, unless the amount thereof shall be paid into said corporation at the time of the issue of such stock; and the whole capital stock, including such increase, shall not exceed in amount to the actual value of the prop- Capital stock.

erty of said corporation at the time of the issue of such increased stock. Said corporation may make rules, regulations and by-laws, and not inconsistent with the laws of this state or the United States.

Stockholders' liability.

§ 8. Whenever default shall be made in the payment of any debt or liability contracted by said corporation, the stockholders shall be held individually responsible for any amount equal to the amount of stock held by them, respectively; and such liability shall continue until three (3) months after an assignment of the stock and publication of a notice thereof in a newspaper published at the said city of Chicago.

Construction of act.

§ 9. Nothing in this act shall be construed so as to invest said corporation with power to do the business of a savings bank. And the said corporation, hereby created, is expressly prohibited from in any way announcing or advertising itself as a savings bank, or as receiving savings deposits, and from paying interest on deposits, under penalty of forfeiting its charter.

Act, when void.

§ 10. This act shall be void, unless said corporation shall organize and proceed to business within two years after the passage of this act.

Directors.

Indebtedness.

§ 11. No director of said corporation shall be indebted to said corporation, either directly or indirectly, at any time, to an amount greater than seventy-five per centum of the amount of the capital stock held by such director, in his own name, in good faith, as his own. Said company shall be subject to the provisions of any general law on the subject of banks.

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

APPROVED March 13, 1869.

In force March 31, 1869. AN ACT to incorporate the Montgomery County Loan and Trust Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Joseph T. Eccles, William P. Marshall, James T. Paden, John C. Gunning, Phordice Boutwell, James M. Truitt, Fred. Noterman, John T. Maddux, Frank H. Gilmore and Aaron H. H. Rountree, and their associates, successors and assigns, and all such persons as shall become stockholders in the company hereby created, are hereby created a body corporate and politic, under the name and style of "The Montgomery County Loan and Trust Company," with succession; and, by that name and style, be and they are hereby made capable, in law or in equity, to sue and be sued, plead*

Name and style.

Corporate powers.

and to be impleaded, defend and to be defended, in any court of law and equity in this state or elsewhere; to appoint all necessary officers and agents; to make and use a common seal, which they may renew or alter at pleasure; and shall be and they 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 are hereinafter specified. Said company is to be located and do business in Hillsboro, Montgomery county, Illinois.

§ 2. The capital stock of said company shall be fifty thousand dollars, with power to increase the same to two hundred thousand dollars, 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 hundred dollars each, which shall be deemed personal property and shall be transferred only on the books of said company, in such manner as the by-laws of said company may prescribe.

Amount capital stock.

§ 3. The said company shall have power to borrow money and to receive money on deposit and pay interest thereon, and to loan money at any rate of interest not exceeding that now or which may hereafter be allowed by law to private individuals, and to discount loans, and to make such loans payable either at their office or elsewhere, as may be agreed upon, and to take such securities therefor, real or personal, or both, as the directors or managers of said company shall deem sufficient; may buy and sell bills, notes, bonds or other securities, negotiable or otherwise; may purchase, hold and sell real estate, under such by-laws and regulations as may be by said company made and prescribed, in conformity to the provisions and intentions of this act, and shall have the power to convey such real estate in any manner provided by the by-laws of said company; 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 the order or direction of any court or tribunal or other legally constituted authority of the state of Illinois or of the United States, sitting either in common law or in chancery, subject at all times to such rules, orders or regulations concerning the management of such moneys, as the judges of said courts or of either or any of them may, from time to time, make or prescribe, not inconsistent with the provisions of this act; may make such special regulations in reference to trust funds or deposits for accumulation or safe-keeping as shall be agreed upon with the depositors or parties interested in the same, allowing and receiving such interest therefor, not greater than that hereinbefore specified, as may be agreed upon; may have and hold, buy and sell coin and bullion; may secure the payment of any loan or loans made to said company in such

May borrow money.

General powers.

Special regulations as to trust funds.

manner as the directors or managers thereof may prescribe; and may issue letters of credit, notes, bills of exchange and other commercial obligation: *Provided*, the same shall not be in the similitude of bank notes or other evidences of debt designed to circulate as money.

May purchase,
hold and convey
real estate.

§ 4. It may be lawful for the company hereby created to purchase and hold such real estate as may be convenient and necessary in the transaction of its legitimate business, not exceeding one hundred thousand dollars in value, and to take and hold any real estate, in trust or otherwise, as security for or in payment of any loan or loans, debt or debts, due or to become due to said company; to purchase real estate at any sale made by virtue of or on account of any loan or loans, debt or debts, trust deed or deeds, mortgage or mortgages, or other instruments, made to or held by said company, and to receive and take, in whole or in part payment or satisfaction of any such indebtedness, any real estate, and to hold and convey the same, as aforesaid: *Provided*, that any real estate acquired, in fee simple, by this company and not held in trust or as security, other than what shall be necessary for the convenient use and successful operation of the same, for the transaction of its legitimate business, shall not be held by the said corporation longer than five years, and shall, within that time, be sold and conveyed, either at public or private sale, so as to divest the said corporation of the title to and fee in said real estate.

Open books for
subscription.

§ 5. Any three of the corporators herein named shall have power to open books for subscription to the capital stock of this company, which shall be done within ninety days after the passage of this act; and when fifty thousand dollars shall have been subscribed and ten per cent. paid thereon, the said commissioners shall give notice thereof to the stockholders, who may then proceed to hold an election for directors of said company. And after the election and qualification of the first board of directors, they shall immediately divide their number, by lot, into three classes, of three each—the first shall hold their office for one year, the second class for two years, the third class for three years; and all directors there elected or who may at any election of said company subsequently held be elected, shall hold their office until their successors shall have been duly elected and qualified. An election of three directors of the company, to serve three years, shall be held annually, at the office of the company; and the board of directors shall give at least ten days' notice thereof to the stockholders, in such manner as they, by the by-laws of said company, may prescribe. Every election for directors shall be by ballot, and the name and number of shares owned by such stockholder shall be indorsed on the ballot; and a plurality of votes shall elect. Every stockholder shall be

Annual election
of directors.

entitled to one vote for every share of capital stock standing in his or their name on the books of the company, and he may vote in person, or by proxy made in writing, directly to the person representing him or them at such election; and in case it should happen that, at any time, on the day the election of directors should be held no election should be made, it shall and may be lawful, on any other day, to make and hold an election of directors, in such manner as shall be prescribed in the by-laws of said company. Any omission or failure to elect directors of said company shall not impair, in any wise, the right of stockholders, depositors or others interested. The money collected by said commissioners and the books opened by them, as aforesaid, shall be delivered to the directors when elected and qualified to perform the duties of their office.

Failure to elect not to change act.

§ 6. The stock and all the affairs of this company shall be managed by the board of nine directors, whose election is above provided for. Said directors shall be stockholders in the company to the extent of at least two thousand dollars, each of whom shall be a resident of Montgomery county, Illinois, and at the time of his or their election shall not be in any way in arrears to said company on account of any assessment on his subscription to the capital stock of said company; nor shall he suffer himself to become in arrears in any way to said company, under penalty of forfeiture of the office held by him or them; but by the payment of such arrears before the election and qualification of his or their successors, he may be permitted to retain such office by a two-thirds vote of the directors. When elected, the directors shall elect a president, vice-president, and a secretary, from their own body, annually, and make the appointment of a cashier and all other agents and servants of said company; shall make and execute such by-laws as may be convenient and necessary for the proper prosecution of the business of the company, not inconsistent with this act and the laws of this state or of the United States; and no by-laws of this company shall be passed without the consent of a majority of all of said directors. Five directors, one of whom shall be the president or vice-president, shall be a quorum for the transaction of business of every kind. Contracts and instruments to which said company may be a party shall be valid and binding, with or without the seal of said company attached: *Provided*, such contracts and instruments shall be made and entered into by the legally constituted officers and agents of said company, in the legitimate business thereof.

Management.

Board of trustees.

Election of president.

Quorum to do business.

§ 7. All officers, agents and servants of said company shall, respectively, give such security for their fidelity and good conduct as the board of directors may, from time to time, require; and said board of directors shall, also, fix the salaries of all such officers, agents and servants, and

Officers. Security, etc.

also make such by-laws as may be required to carry out the objects of said company hereby created.

§ 8. No officers or director of said company shall be or become a surety on any bond or other security given by any of the officers, agents or servants of said company, required to be given by section seven (7) of this act; nor shall any loan be made to any stockholder, on pledge of his or her share or shares in the capital stock of said company; and no officer or director of the company shall become liable to it as maker, surety, acceptor, guarantor or indorser of any note, bill of exchange, voucher, bond or other instrument of writing, for the payment of money, or in any way or manner use the funds of the company except in the lawful business of said company, as provided by this act and prescribed in the by-laws of said company made in conformity to this act: *Provided, however*, that nothing herein contained shall be construed to prevent any such officer or director from selling and negotiating to said company any state or county bond or bonds, notes, bills of exchange, or other instruments of writing, for the payment of money, negotiable or otherwise, or from discounting the same according to bank usage, which he may own of and in his own right: *And provided, further*, that such officer or director shall in such case be dealt with the same as any other person or persons.

Married women
and minors, de-
posits of

§ 9. When any deposit is made with said company by a minor or by a female being or hereafter becoming a married woman, the said company may pay such depositors any sums of money due to them, and their receipt or acquittance shall be a legal discharge to said company therefor.

A misnomer
not to invalidate
title.

§ 10. A misnomer of said company, in any deed, gift, grant or other instrument, contract or conveyance, made to or from said company, shall not vitiate the same, if the company shall be sufficiently described therein to declare the intention of the parties thereto.

Payment of in-
stallments.

§ 11. The board of directors shall have power to call for the payment of the balance due on the subscription to the stock of this company at such times as they may deem proper, under such rules and in such manner as they shall in the by-laws of said company prescribe; and in the event of the non payment of the balance due by any stockholder on his stock within sixty days after notice shall have been given, by publication duly made in some public newspaper published in said county of Montgomery, or otherwise as shall be determined by said directors, it shall be lawful for the directors to sell at public auction, to the highest bidder, the amount of stock standing in the name of such non paying stockholder on the books of said company; and the proceeds of such sale, after deducting the costs and expenses of such sale, shall be paid over to such non paying stockholder; and such non paying stockholder shall there-

Stock of delin-
quents, sale of.

upon cease to be a stockholder in said company, and the purchaser or purchasers of such stock shall have and enjoy all the privileges and profits accrued or accruing to said share or shares of stock, and they shall become liable for the payment of all calls then due or thereafter made on such share or shares of stock: *Provided, however,* that said directors shall not at any one time have the power to call in more than ten per cent. of the stock of said company owned and held by the stockholders thereof, and that an interval of at least ninety days shall elapse between calls.

§ 12. The board of directors shall have power to declare dividends on the stock of said company, from time to time, as they may see proper and deem expedient; 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 dollars per share has been paid into said company.

Dividends, how and when declared.

§ 13. At any time after the payment of the original capital of fifty thousand dollars into the company, as hereinbefore provided, the board of directors may increase the capital of the company to the amount limited, or any part thereof, in shares of one hundred dollars each, in such manner as they may deem proper; and said increase shall be subject to all the liabilities, immunities and privileges of the original stock, as provided by 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 notice is to be given. And at any time after the payment of ten thousand dollars of the original stock into said company by the stockholders thereof, the board of directors may establish one or more branch offices of said company in any place or places in Montgomery county, Illinois, as they in their discretion may elect and determine; and such branch office shall be governed by the board of directors herein created and the provisions of this act and the by-laws made and established by said board of directors in conformity thereto.

Stock may be increased.

Branch offices.

§ 14. The stockholders herein shall be responsible in their individual property in the full amount of their stock held by them, 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 the name of the person to whom made, and the amount of of said stock, shall have been advertised in some public newspaper published in the county of Montgomery, and state of Illinois, for the period of three months.

Liability of stockholders.

§ 15. This company shall exist for the full term of fifty years, from and after the passage of this act, and shall be entitled to use all its corporate powers, rights and privileges for the period of two years thereafter, for the sole purpose of closing up its affairs and none other.

Duration of corporation.

§ 15. This act shall be deemed a public act, of which all courts and magistrates shall officially take notice, and shall take effect from and after its passage,

APPROVED March 31, 1869.

In force March 13, 1869. AN ACT to incorporate the Paxton Mutual Stock Company of Paxton, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That S. J. Toy, A. C. Thompson, F. A. Thompson, R. Blackstock, George Wright, J. P. Day, A. H. Hawley, A. Z. Rogers, E. B. Rogers and D. W. Norris, and their associates and successors, be and hereby are created and declared a body politic and corporate, by the name and style of "The Paxton Mutual Stock Company," for the term of twenty-five years; and, by that name and style, shall have the legal right and power to contract and be contracted with, to sue and be sued, plead and be impleaded, in all courts of competent jurisdiction; to buy, hold, lease, loan or improve any real estate, not exceeding three sections of land, in the county of Ford, state of Illinois, or personal property, and to sell, convey and make title to the same; to secure debts due to or from the company hereby created, by mortgage on real estate or personal property; to engage in the growing and sale of any article or articles whatsoever; to have and use a common seal, and to change the same at pleasure, and to exercise all the powers, privileges and immunities incident to natural persons.*

§ 2. At any time, within two years from and after the passage of this act, the incorporators named herein, or such of them as may act, may open books for subscription for the capital stock of said company; and when three hundred shares of said stock shall have been subscribed for, they and those who shall be associated with them as subscribers for said stock, shall proceed to organize the company, by the election of the first board of directors; and said directors may determine in what manner the subscribers for said stock shall be required to pay for the same; and each stockholder shall be held liable for the debts of the company, to the extent of his stock, and no further.

§ 3. The corporation hereby created shall be under the control and direction of the board, of not less than five nor more than nine directors, a majority of whom shall be necessary to constitute a quorum to do business, and who shall be stockholders, holding and owning not less than five shares in the capital stock of the company. Said board

of directors shall be elected by the stockholders, and shall hold their offices for the terms for which they shall be elected and until their successors shall be elected.

§ 4. At all elections of the stockholders for directors, or for other purposes, the stockholders shall be entitled to one vote, by themselves or proxy, for each share of stock held or owned by them respectively, provided that no stockholder shall be allowed to vote at any election or be eligible to the office of director, on account of any stock upon which there is due and unpaid any installment. Vote of stockholders.

§ 5. The board of directors shall choose from their number a president and vice president, and from the other stockholders a secretary, a treasurer, and a general superintendent or manager, and such other officers as they may deem necessary; also, they shall employ such agents and servants as, from time to time, they may deem necessary; fill vacancies in said board, caused by death, resignation or otherwise; and make and put in execution such by-laws and regulations as they may deem proper for the good of the company: *Provided*, they be not repugnant to the constitution or laws of the United States or this state or to the provisions of this act of incorporation. Officers chosen.

§ 6. The capital stock of said company shall be sixty thousand dollars, and shall be divided into shares of one hundred dollars each, and may be increased to any sum not exceeding three hundred thousand dollars, by the votes of those in the interest of a majority of the entire amount of said stock, if the fully paid up stock shall be equal to or exceed one half of the entire stock, the then present stockholders always being allowed the privilege of taking of the new stock, in proportion to the amount of stock before held by them; and said stock shall be deemed personal property, and transferable on the books of the company only under such regulations as may be adopted by the company; and no stockholder shall be allowed to hold or own an amount of stock that shall be equal to or exceed one-seventh of the entire capital of the company. Amount capital stock.

§ 7. The corporation, by its board of directors, may, after having provided a sufficient amount of money as a contingent fund, declare annual dividends of the earnings of the company to the stockholders upon the amount of capital paid in. Said dividend being applied upon the different shares, in proportion to the amount paid thereon, and interest at the rate of ten per cent. per annum being allowed to the company for all balance due upon any assessment and remaining unpaid. Declare dividends.

§ 8. All contracts for the purchase or sale of real estate, all deeds and mortgages executed by the company, also all certificates of stock in the capital of the company, must be signed by the president and countersigned by the secretary; but the directors may provide, in the by-laws, Contracts made valid.

for the signing of all other documents relating to the business of the company; and no person, duly authorized to sign any document, as officer or agent of the company, shall be personally liable thereon.

Place of business. § 9. The principal office of said company shall be in the town of Paxton.

Surplus funds. § 10. Any surplus moneys belonging to the company may be used, from time to time, to purchase, on account of the company, certificates of shares in the capital of the company: *Provided*, that authority to make such use of moneys be given at a regular meeting of the stockholders and by those in the interest of a two-thirds majority of the entire amount of the capital.

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

APPROVED March 13, 1869.

in force April
19, 1869.

AN ACT to incorporate the Peninsula Loan and Trust Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Richard M. Atkinson, Thomas C. Grimshaw, Joseph J. Topliff, William H. Wize, Henry B. Atkinson, George M. Thrasher, George W. Adams, Charles W. Patterson and Stephen R. Gray, 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 Peninsula Loan and Trust Company;" and shall have a common seal; with the power to plead and be impleaded; to have and exercise all powers incident to corporate bodies; and appoint all necessary officers, servants and assistants; and to be located in the town of Pittsfield, in Pike county, Illinois.

Subscription books opened to capital stock. § 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.

Amount capital stock. § 3. 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 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 a manner as the by-laws of said company may provide.

§ 4. 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 the 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 loans 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 the state; may buy and sell negotiable paper or other securities; 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 the order or direction of any court or tribunal or other 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.

Borrow money
and take deposits,

§ 5. Married women and minors may, in their own names, subscribe for stock and deposit money with said corporation, and receive certificates of stock and deposits in their own names, which said stock and deposits shall be subject to their disposal and order only.

Married women
and minors may
take stock.

§ 6. It may be lawful for the company hereby incorporated to purchase and hold such real estate as may be convenient and useful in the transaction of its business not only, but to take and hold any real estate, in trust or otherwise, as security for or in payment of loans or debts due or 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: *Provided*, 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 five years, and shall within that time be sold and conveyed, either at public or private sale, so as to divest the corporation of the title to and in fee in the same: *Pro-*

May hold and
convey real estate.

vided, that any real estate purchased at any sale made under and by virtue of any execution, decree or order of any court, shall be subject to redemption, as provided by law.

Management.

Board of directors.

§ 7. 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 and interests of the stockholders, depositors or others interested.

Appointment of officers.

§ 8. The directors shall have the right to form by-laws, for the appointment of other officers, agents and others, necessary for the company's service, and for regulating their own proceedings and the company's operations, however not inconsistent with the constitution of the United States or of this state.

Stock forfeited.

§ 9. The directors shall, also, have the right, in case stockholders shall fail to pay any installment for thirty days after a call therefor, to declare the stock of such stockholders so in arrears forfeited to the company, together with the sums already paid thereon, or, at their option, sue for and recover the entire amount of subscription remaining unpaid; and shall have the right to declare dividends out of the earnings of said company.

Stockholders' liability for debt

§ 10. The stockholders herein shall be responsible, in their individual property, in double the amount of their stock, to make good all losses to depositors; and no assignment of their stock shall release them from said liability, until after the fact of such assignment and the 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 of Pike, for the period of three months.

Organization.

Limit of time.

§ 11. Until the sum of twelve thousand dollars shall have actually been paid in, on subscription to the capital stock, the company shall not commence, and 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 and deposit companies.

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

APPROVED April 19, 1869.

AN ACT to incorporate the Sandwich Loan and Trust Company.

In force March
31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Corporators.

George H. Culver, W. L. Simmons, James H. Culver, William Patton, Hubbard Latham, Augustus Adams, Andrew Beveridge, William Frazier and George Wallace, 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 Sandwich Loan and Trust Company;" and shall Name and style. have succession, a common seal, with power to plead and be impleaded, to sue and be sued, to appoint all necessary assistants, and may have and enjoy and exercise all the powers necessary to carry out and execute all the purposes and intents of a loan and trust corporation.

§ 2. The general business and object of this corporation shall be to receive on deposit, or in trust, such sum or sums of money as may, from time to time, be offered therefor, by tradesmen, merchants, clerks, laborers, servants and others, to be paid to such depositors when required, at such times, with such interest, and under such regulations as the board of directors may, from time to time, prescribe; which regulations shall be posted in some conspicuous place in the rooms where the business of said corporation shall be transacted. Objects of the corporation.

§ 3. The affairs of the company shall be managed by a board of directors, of not less than five nor more than nine in number; and a majority of such directors shall constitute a quorum for the transaction of business, who shall be stockholders in the corporation. The election of such directors shall be had by the stockholders when thirty thousand dollars shall have been subscribed to the capital stock of said corporation and twenty-five per cent. paid thereon; and the first five of the corporators herein named shall be the commissioners to open books for subscription. The office of the company, for the transaction of business, shall be located in Sandwich, DeKalb county, Illinois. Directors to manage affairs.

§ 4. The election of directors shall be held, annually, at the office of the corporation; and the board of directors 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 anywise Election of board of directors. Manner of conducting elections.

impair the rights of stockholders or others interested, and the directors in office shall hold over until their successors shall have been elected.

Amount of
capital stock.

§ 5. The capital stock of said corporation shall be fifty thousand dollars, divided into shares of one hundred dollars each, payable in such installments as the directors may, from time to time, elect, under such penalties as they may in their discretion adopt; and the directors are hereby appointed and authorized to superintend the subscriptions to the capital stock of the corporation, and it shall be competent for said directors to commence the business of the corporation when the full amount of stock shall have been subscribed, and at least twenty-five per cent. of it paid into the treasury.

May loan money

§ 6. This corporation may loan money at any rate of interest not exceeding ten per cent. per annum, or may discount, in accordance with bank usages, taking such security therefor, either real or personal, as the directors may deem sufficient. Said corporation shall have power to borrow money, buy and sell exchange, bullion, bank notes, government stocks and other securities; but nothing in this act contained shall confer on said corporation the privilege of issuing notes, similar to bank notes, for the purpose of a circulating medium.

May hold and
convey real es-
tate.

§ 7. It shall be lawful for this corporation 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 the payment of any debt or debts due or to become due to the said corporation; to purchase real estate at any sale made in virtue of any loan, debt, or mortgage made to, or held by said corporation, and to receive and take, in whole or in part satisfaction of any such loan or debt, any real estate, and to hold and convey the same. Any real estate sold under deed of trust or other conveyance, held as security by said corporation, may be redeemed by the debtor, his or their heirs or creditors, by the payment of the debt and costs, together with ten per cent. interest on same, at any time within twelve months after such sale.

Officers.

§ 8. The directors shall elect, annually, from their number, a president, vice-president and secretary. The cashier may be selected from the stockholders, by the directors. The directors shall make and execute such by-laws as may be convenient and necessary for the proper prosecution of the business of this corporation, not inconsistent with this act or with the laws of this state or of the United States.

Increase of
capital stock.

§ 9. At any time after the full payment of the original stock of fifty thousand dollars, as hereinbefore provided, the directors may increase the capital stock of said corporation to any amount not exceeding five hundred thousand

dollars, in shares of one hundred dollars each; and said increased stock shall be subject to all the liabilities, immunities and privileges of the original stock. Stockholders shall have the option of subscribing to such additional stock, *pro rata*, within such time as the directors may limit.

§ 10. When any deposit is made with said corporation by a minor or by a female being or hereafter becoming a married woman, the said corporation may pay such depositors any sums of money due to them, and their receipt or acquittance shall be a legal discharge to said corporation therefor. Deposits of minor or female.

§ 11. The stock of this corporation shall be deemed personal property, transferable only on the books of the corporation, and no transfer shall be valid while the party transferring is indebted to the corporation. Stock deemed personal property.

§ 12. This corporation shall exist for the term of fifty years next succeeding the first day of May, A. D. 1869, and shall be entitled to use all its corporate powers, rights and privileges for the period of three years thereafter, for the sole purpose of closing up its affairs. The stockholders shall be individually responsible in their property to an amount equal to the amount of stock held by them, respectively, 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 the 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 the 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 three years after the passage thereof. The said company shall be subject to the provisions of any general law hereafter passed on the subject of banking, trust or deposit companies. Duration of corporation. Stockholders' liability.

§ 13. This act shall be deemed a public act, of which all courts and magistrates shall officially take notice, and shall take effect on and after its passage. When act to be void.

APPROVED March 31, 1869.

AN ACT to incorporate the Sparta Mutual Loan and Building Association. In force March 26, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Henry Gardner, John Steel, David B. Boyd, Peter Boyle, Robert H. Rosborough, Robert Shaw, Daniel L. Wise, J. C. Perkins and John M. McCutcheon, and their associates and* Corporators.

successors, are hereby created a body corporate and politic, under the name and style of "The Sparta Mutual Loan and Building Association," with succession for twenty-five years; and under this name be and are hereby made capable to sue and be sued, complain and defend, in any court of law and equity; to make and use a common seal, and alter the same at pleasure, and to exercise all powers which shall be necessary to accomplish the object of the association.

Object's of the corporation.

§ 2. The object of the association being to provide a means for the regular, safe and profitable investment of the savings of its members, and by those savings to accumulate a fund for the purpose of making loans to its stockholders, whereby they may be enabled to build or provide for themselves dwelling houses, or to purchase lots or other real estate, said association shall have power to purchase, hold and convey such real and personal estate as the purposes of the association shall require; to make by-laws, not inconsistent with the laws or constitution of the United States or of this state, for the management of its property, the regulation of its affairs and the issue and transfer of its stock, and such others as may be necessary to accomplish the objects and purposes of the association; to appoint such subordinate officers and agents as the business of the corporation shall require, and to allow them a suitable compensation; and may impose penalties for breaches of its by-laws.

Parents may take stock in behalf of minors

§ 3. Parents or guardians may take and hold shares in this association, in behalf of their minor children or wards, and trustees in behalf of married women, and may act therein on behalf of those they represent.

Investment of loans.

§ 4. The investments of said association shall be made, either in loans to or in redemption of the shares of or in purchasing lots and erecting dwellings for the members, or or in all of said modes, as the by-laws of the association may provide.

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

APPROVED March, 26, 1869.

In force March 24, 1869.

AN ACT to incorporate the Sycamore Loan and Trust Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Channcey Ellwood, James S. Waterman, William W. Marsh, Reuben Ellwood, Norman C. Warren, Orlando M. Bergen, Alonzo Ellwood, Charles Kellum, Charles O. Boynton,

James E. Ellwood, Carlos Lattin, Evans Wharry and Richard L. Divine, and their associates and successors, and all such persons as shall become stockholders in the corporation hereby created, shall be a body corporate and politic, by the name and style of "The Sycamore Loan and Trust Company;" and shall have succession, a common seal, with power to plead and be impleaded, to sue and be sued, to appoint all necessary assistants, and to have, enjoy and exercise all the powers necessary to carry out and execute all the purposes and interests of a loan and trust corporation.

Name and style.

§ 2. The general business and object of this corporation shall be to receive on deposit or in trust such sum or sums of money as may, from time to time, be offered therefor, by tradesmen, merchants, clerks, laborers, servants and others, to be repaid to such depositors when required, at such times, with such interest and under such regulations as the board of directors may, from time to time, prescribe, which regulations shall be posted up in some conspicuous place in the rooms where the business of said corporation shall be transacted.

Objects of the corporation.

§ 3. The affairs of the company shall be managed by a board of directors of not less than nine nor more than thirteen in number; and a majority of such directors shall constitute a quorum for the transaction of business, who shall be stockholders in the corporation. The election of such directors shall be had 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 the first five of the corporators herein named shall be commissioners to open books for subscriptions. The office of the company, for the transaction of business, shall be located in Sycamore, DeKalb county, Illinois.

Powers of the directors.

§ 4. The election of directors shall be had, 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 such stockholders 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 anywise impair the rights of stockholders, depositors or others interested; and the directors in office shall hold over until their successors shall have been elected.

Annual election of directors.

Stockholders' vote.

§ 5. The capital stock of said corporation shall be fifty thousand dollars, divided into shares of one hundred dollars each, payable in such installments as the directors may,

Amount capital stock.

from time to time, elect, under such penalties as they may in their discretion adopt; and the directors are hereby appointed and authorized to superintend the subscription to the capital stock of the corporation; and it shall be competent for said directors to commence the business of the corporation when the full amount of stock shall have been subscribed and at least ten per cent. of it paid into the treasury.

May loan money § 6. This corporation may loan money, at any rate of interest, not exceeding ten per cent. per annum, or may discount, in accordance with bank usage, taking such security therefor, either real or personal, as the directors may deem sufficient. Said corporation shall have power to borrow money, buy and sell exchange, bullion, bank notes, government stocks and other securities; but nothing in this act contained shall confer on said corporation the privilege of issuing notes similar to bank notes, for the purpose of a circulating medium.

Possession of real estate. § 7. It shall be lawful for this corporation 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 the payment of any debt or debts due or to become due to the said corporation; to purchase real estate at any sale made in virtue of any loan, debt or mortgage made to or held by said corporation, and to receive and take, in whole or in part satisfaction of any such loan or debt, any real estate, and to hold and convey the same. Any real estate sold under deed of trust or other conveyance, held as security by said corporation, may be redeemed by the debtor, his, her or their heirs or creditors, by the payment of the debt and costs, together with ten per cent. interest on the same, at any time within twelve months after such sale.

Redemption of property sold under deed of trust.

Officers, how elected. § 8. The directors shall elect, annually, from their number, a president, vice-president and secretary. The cashier may be selected from the stockholders by the directors. The directors shall make and execute such by-laws as may be convenient and necessary for the proper prosecution of the business of said corporation, not inconsistent with this act or the laws of this state or of the United States.

Increase of capital stock.

§ 9. At any time after the full payment of the original stock of fifty thousand dollars, as hereinbefore provided, the directors may increase the capital stock of said corporation to any amount, not exceeding five hundred thousand dollars, in shares of one hundred dollars each; and said increased stock shall be subject to all the liabilities, immunities and privileges of the original stock. Stockholders shall have the option of subscribing to such additional stock, *pro rata*, within such time as the directors may limit.

§ 10. When any deposit is made with said corporation by a minor or by a female, being or hereafter becoming a married woman, the said corporation may pay such depositors any sums of money due to them, and their receipt or acquittance shall be a legal discharge to the said corporation therefor. Deposits of minor or female.

§ 11. The stock of this corporation shall be deemed personal property, transferable only on the books of the corporation; and no transfers shall be valid while the party transferring shall be indebted to the corporation. Stock deemed personal property.

§ 12. This corporation shall exist for the term of fifty years, next succeeding the first of May, A. D. 1869, and shall be entitled to use all its corporate powers, rights and privileges for the period of three years thereafter, for the sole purpose of closing up its affairs. The stockholders shall be individually responsible, in their property, to an amount equal to the amount of stock held by them, respectively, 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 published in the county where the 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 three years after the passage thereof. The said company shall be subject to the provisions of any general law hereafter passed on the subject of banking, trust or deposit companies. Duration of corporation. Act, when void.

§ 13. This act shall be deemed a public act, of which all courts and magistrates shall officially take notice, and shall take effect on and after its passage.

APPROVED March 24, 1869.

AN ACT to incorporate the Union Trust Company.

In force March 31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Clement F. Hinman, Joseph M. Dake, Benjamin J. Sweet, Samuel A. Briggs, 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 Union Trust Company;" and shall have a common seal, which they may alter or renew at pleasure; power to plead and be impleaded, in all courts of law and equity: to have and exercise powers incident to corporate bodies. Said Corporators. Name and style.

corporation shall be located in the city of Chicago, in the county of Cook.

Open books for
subscription.

§ 2. A majority of the corporation herein named may proceed to open books of subscription to the capital stock of said corporation, and shall, at the same time or thereafter, designate a time and place for the 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.

Amount of
capital stock.

§ 3. The capital stock of said corporation shall be one hundred thousand dollars, with power to increase the same to one million dollars, and shall be divided into shares of one hundred dollars each, which shall be deemed personal property, subject to taxation, and shall be transferable on the books of the corporation in accordance with the rules thereof.

May borrow
money.

§ 4. The said corporation shall have power to borrow money, buy and sell bills of exchange and other commercial obligations, loan money and discount notes in accordance with bank usage, receive money on deposit, and may, also, accept and execute all trusts which may be committed to it by order of any court. Said corporation shall confine its business exclusively to a commercial and exchange banking business.

May hold and
convey real es-
tate.

§ 5. The said corporation shall have power to purchase and hold such real estate as may be necessary for the transaction of a *bona fide* banking business, and to take and hold any real estate as security for and in payment of loans and debts due or to become due to the corporation, and to purchase real and personal estate at any sale to enforce its securities or the payment of debts due, made by virtue of any process, mortgage or deed of trust, and to hold or sell and convey the same.

Management.

Board of di-
rectors.

§ 6. The business of said corporation shall be conducted by a board of not less than five directors, to be elected annually by the stockholders, who shall hold their offices until their successors are elected and qualified. The directors shall be stockholders and residents of the said county. Each share of stock shall be entitled to one vote, and may be cast in person or by proxy. The board of directors shall elect a president and cashier, and such other officers and agents may be appointed or employed as said corporation or its officers may see proper.

Increase of
capital stock.

§ 7. Before said corporation shall commence business, the whole capital stock shall have been subscribed for and the stockholders shall have paid the several amounts subscribed in full; and no increase of said capital stock shall be made, at any time, unless the amount thereof shall be paid into said corporation at the time of issue of such stock; and the whole capital stock, including such increase, shall not exceed in amount the actual value of the property of said

corporation at the time of the issue of such increased stock. Said corporation may make rules, regulations and by-laws for the management of its affairs, not inconsistent with the laws of this state or the United States.

§ 8. Whenever default shall be made in the payment of any debt or liability contracted by said corporation, the stockholders shall be held individually responsible for an amount equal to the amount of stock held by them, respectively; and such liability shall continue until three months after an assignment of the stock and publication of a notice thereof in a newspaper published at said city of Chicago.

§ 9. Nothing in this act shall be construed so as to invest said corporation with power to do the business of a savings bank; and the said corporation hereby created is expressly prohibited from, in any manner, announcing or advertising itself as a savings bank or as receiving savings deposits, and from paying interest on deposits, under penalty of forfeiting its charter.

§ 10. This act shall be void unless said corporation shall organize and proceed to business within two years after the passage of this act.

§ 11. No director of said corporation shall be indebted to said corporation, either directly or indirectly, at any time, to an amount greater than seventy-five per centum of the amount of the capital stock held by such director in his own name, in good faith, as his own.

§ 12. This act shall be deemed a public act, and shall be in force from and after its passage. It is hereby expressly provided that any real estate sold under deed of trust or other conveyance held as security by said corporation, may be redeemed by the debtor, his, her or their heirs or creditors, by the payment of the full amount of debt and costs, with ten per cent. interest on the same, at any time within twelve months after such sale. And it is also hereby provided, that no real estate that shall become the property of the corporation hereby created, except such as may be reasonably necessary for the transaction of its business, shall be held by said corporation for a longer period than may be necessary, reasonably, for said corporation to sell and dispose of the same to advantage.

APPROVED March 31, 1869.

LOAN COMPANIES—NEW PRIVILEGES.

In force April 12, 1869. AN ACT to amend an act entitled "An act incorporating the Edgar County Land and Loan Company."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one (1) of an act entitled "An act incorporating the Edgar County Land and Loan Company," be and the same is hereby amended so that the title shall be "The Edgar Land and Loan Company," and that Andrew J. Hunter, Joseph Brown and A. C. Connely, be constituted corporators of the same; and said corporation shall be located at Paris.

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

APPROVED April 12, 1869.

In force April 19, 1869. AN ACT to amend an act entitled "An act to incorporate the German House Association of Chicago," approved February 12, 1857.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section three (3) of the act to which this is an amendment shall be so changed as to read, "That the capital stock of said company may be increased at the discretion of said corporation, to not exceeding one hundred and fifty thousand dollars," instead of "ninety thousand dollars," as specified in said section three (3).

§ 2. *And be it further enacted,* that the last clause of section five (5) of the act to which this is an amendment shall be so changed as to read, "The elections of officers shall be by ballot; and all such elections and all votes shall be by a plurality of all the shares represented—each member being entitled to as many votes as he owns shares of stock—each share of stock in said company entitling the owner thereof to one vote at all elections held by said company and upon all questions relative to the contract or management of the affairs or interests of said company."

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

APPROVED April 19, 1869.

LUMBER COMPANIES.

AN ACT to incorporate the Lumberman's Exchange of Chicago.

In force March
31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Frelan Corporators.

B. Gardiner, Martin Ryerson, Eli Bates, Nelson Ludington, Harrison Ludington, Augustus A. Carpenter, Jesse Spaulding, George R. Roberts and Thomas H. Beebe, and their associates, be and the same are hereby created a body politic and corporate, under the name and style of "The Lumberman's Exchange of Chicago;" and, by that name, Corporate name and powers. may sue and be sued, implead and be impleaded, receive, acquire and hold property and effects, real and personal, by gift, devise or purchase, and dispose of the same by sale and conveyance, or by lease, or otherwise; may have a common seal, and may alter the same at pleasure; and shall possess and enjoy all the powers, privileges and immunities incident to corporations, for the purposes herein mentioned and contemplated: *Provided*, that the corporation hereby created shall not, at any one time, hold real estate the value of which shall exceed one hundred thousand dollars.

§ 2. The affairs of said corporation shall be managed and conducted by a board of not less than five nor more than thirteen directors, who shall be elected annually and continue in office until others are chosen in their place—a majority of whom shall constitute a quorum for the transaction of business. The officers of said corporation shall consist of a president, vice president, secretary, and treasurer. The president and vice president shall be elected annually by and selected from said board of directors; and the said board of directors may appoint the secretary and treasurer, and require of the latter such bond and securities as may be prescribed by the by-laws of said corporation; and the said corporation may appoint such other officers, agents and servants as the directors may deem necessary for carrying into effect and accomplishing the objects and purposes of this act, not inconsistent with the laws of this state. Directors to manage affairs.

§ 3. The said corporation is hereby authorized to establish such rules, regulations and by-laws, for the management and conduct of its business and affairs, and of its officers, agents, servants and members, as they may think proper, and for the time and manner of holding elections, filling vacancies, and appointment of agents, servants and employees: *Provided, always*, that they be in conformity to the laws of this state. Election of officers.

§ 4. Said corporation shall have the right to prescribe the rules, regulations, terms and conditions under and upon Rules for government.

Powers of the directors

which members may be received into and expelled [from] said corporation, and may revise and alter the same, from time to time, as they may think proper.

Appointment
of inspectors

§ 5. Said corporation shall have power to appoint inspectors, as many as they shall see fit, to examine, measure and inspect lumber, timber, shingles, wood and every other article of traffic commonly dealt in by the members of said corporation or any of them or by persons engaged in what is commonly understood to be the lumber business, and to prescribe the rules and fix the grades by which such inspectors shall be governed in the discharge of their duties; and the certificate of such inspectors as to the quality, quantity or character of such article, thus inspected, and their mark thereon, shall be evidence between buyer and seller of the grade, quantity, quality or character of the same, shall be binding upon the members of said corporation or others interested, who shall obtain, require or assent to the employment of said inspectors. Nothing herein contained, however, shall compel the employment by any one of any such inspectors.

Penalties for
misconduct.

§ 6. Said corporation may impose fines upon any of the members thereof, and collect the same, for breach of its rules, regulations or by-laws; but no fine shall exceed twenty-five dollars; and such fines, when incurred, may be collected by action of debt, before any justice of the peace in the city of Chicago, in the name of the corporation.

Appointment
of committee of
appeal.

§ 7. Said corporation is hereby authorized to constitute and appoint committees of reference and arbitration and committees of appeal, who shall be governed by such rules and regulations as may be prescribed in the rules, regulations or by-laws, for the settlement of such matters of difference as may be voluntarily submitted for arbitration by members of said corporation or by other persons, not members thereof. The acting chairman of either of said committees, when sitting as arbitrators, may administer oaths to the parties and witnesses and issue subpoenas and attachments, compelling the attendance of witnesses, the same as justices of the peace, and in like manner directed to any constable to execute.

Proceedings in
cases of award.

§ 8. When any submission shall have been made, in writing, and a final award shall have been rendered and no appeal taken within the time fixed by the rules or by-laws of said corporation relating thereto, then, on filing such award and submission with the clerk of the circuit court, an execution may issue upon such award, as if it were a judgment recorded in the circuit court; and such an award shall thenceforth have the force and effect of such a judgment, and shall be entered upon the judgment docket of said court.

Organization.
Call of meeting.

§ 9. For the purpose of organizing the corporation hereby created, the corporation herein named, or a majority

of them, are hereby authorized and directed to call a meeting of the members of the Lumberman's Association, so-called, now existing in said city of Chicago, to be held in said city, at such time and place as they may think proper, for the purpose of fixing upon the number of directors and electing the same, and for the transaction of such other business as may be necessary to perfect such organization; of the time and place of holding which said meeting notice shall be given, for ten successive days next preceding the time of holding the same, in one of the daily newspapers published in the city of Chicago.

Notice given
by publication.

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

APPROVED March 31, 1869.

An act to incorporate the Union Lumber Company.

In force April
8, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That William Gastfield, Henry Grusendorf, Henry Miller, John Cole, Louis Shultz, August Shultz, Charles Joerndt and John King, and their associates, successors and assigns, be and they are hereby created a body corporate and politic, by the name and style of "Union Lumber 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 for, purchasing, holding and selling lumber and lumber materials, 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 at Chicago, in the state of Illinois.

Corporators.

Corporate name
and powers.

§ 2. The said corporation is authorized to clear, manufacture, purchase and sell lumber, building materials, and all other articles and materials, and the manufactured produce thereof, connected with or incident to such manufacturing business; and may hold, lease and convey such real estate as may be necessary to carry on the business of such corporation.

Objects of the
corporation.

§ 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, not exceeding one hundred dollars each, as the stockholders may from time to time determine. Such shares shall be deemed personal property, and transferable in such manner as the by-laws of said company shall prescribe.

Amount capital
stock.

Directors to manage affairs. § 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 eight. 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. William Gastfield, Henry Grusendorf, Henry Miller, John Cole, Louis Shultz, August Shultz, Charles Joerndt and John King, 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 to do business. § 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.

Certificate of secretary prima facie evidence. § 7. Copies of the minutes, proceedings, rules and by-laws of the company, certified by the president and 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 April 9, 1869.

MANUFACTURING COMPANIES—INCORPORATED.

In force April 1, 1869.

AN ACT to incorporate the Amboy Manufacturing Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Frederic R. Dutcher, and all such persons as shall become subscribers to the stock hereinafter described, shall be and they are hereby constituted and declared a body politic and corporate, by the name and style of "The Amboy Manufacturing Company," from and after the passage of this act; and,*

Corporators.

Name and style

by that name, they and their successors shall have succession, and shall, in law, be capable of suing and being sued, pleading and being impleaded, in all courts and places whatsoever; may have a common seal, alter and change the same at their pleasure; and they and their successors may, also, by that name and style, be capable, in law, of contracting and being contracted with, of purchasing, holding and conveying away real and personal estate, for the purpose and use of said corporation, as hereinafter limited.

Corporate 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 agricultural products of the country, and other useful branches of business; to erect mills, machines, works, and such other buildings as may be necessary to carry on their business; and enter into contracts which may concern the use and management of the property, affairs and interests of the said company.

Objects of the corporation

§ 3. The capital stock of said company shall be fifty thousand dollars, divided into shares of one hundred dollars each; and the capital stock may hereafter be increased to one hundred thousand dollars, to be expended in the business of said corporation.

Amount of capital stock.

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

May borrow money.

§ 5. That, for the purpose of carrying into effect the objects of this corporation, the person named in the first section of this act, is hereby appointed a commissioner to obtain subscription to the capital stock of said company, and may open books for said subscription at such times and places, in the city of Amboy, as he may deem expedient; and when at least two hundred of said shares shall have been subscribed and one dollar on each share paid thereon, said commissioner shall, within ten days thereafter, call a meeting of the stockholders at Amboy, Lee county, by a printed notice in some newspaper of the county of Lee.

Open books for subscription

§ 6. That, at said meeting, the stockholders of said company shall proceed to elect five directors, who shall manage, direct and govern the affairs of said company one year from the period of said election and until their successors, who shall be vested with the same authority, are elected. Said corporation shall be located at Amboy, in the county of Lee.

Election of directors.

§ 7. And that at such elections each stockholder shall be entitled to give one vote for each share of stock he or she may hold; and a majority of all votes given shall be

Vote of the stockholders.

required to make an election. Each shareholder may vote in person or by proxy.

Annual election. § 8. That the period of election shall be annually, on the first Monday of the month in which the first election shall be held; and if it shall so happen that any election does not take place upon the day appointed, the same may be held on any day thereafter, the acting president giving the notice thereof required in the first section.

Election of officers. § 9. That immediately after the directors are chosen, as above, they shall hold a meeting, at which and all subsequent meetings, a majority shall constitute a quorum. That they shall proceed to the election of a president from one of their number, a secretary, who shall be sworn by a justice of the peace to the faithful discharge of his duty, and who shall record all the proceedings of the said corporation, under the direction of the said president and directors, in a book to be kept by him for that purpose; a treasurer, who shall give bond to such amount and in such manner as the said president and directors shall direct; and appoint such other officers and agents as to them may seem necessary.

Rules for government. § 10. That the said president and directors may authorize the issue of certificates of indebtedness, and shall have power, from time to time, to make all such by-laws, rules and regulations, not inconsistent with the constitution and laws of this state or of the United States, which may be necessary for the payment or collection of subscriptions to its stock and the transfer of the same, the conveyance of property, the payment of or collection of dues to or from said company or that in any other way concerns the interests, management or direction of the affairs of said company.

Duration of corporation. § 11. The corporation hereby created shall continue for the term of fifty years.

When act to take effect. § 12. This act to be in force from and after its passage, and shall be considered a public act in all courts of record and, also, in all courts of justice of the peace, and shall be beneficially construed.

APPROVED April 1, 1869.

In force March 26, 1869. AN ACT to incorporate the Aurora Cotton Manufacturing Company.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Joseph G. Stolp, William H. Hawkins, Russell C. Mix, Charles Wheaton, Otis N. Shedd, Joseph Reising, Alonzo George, John Hanna, A. W. Richardson and N. R. Hobbs, and their successors, be and they are hereby created and consti-*

tuted a body corporate and politic, with perpetual succession, under and by the name and style of "The Aurora Cotton Manufacturing Company;" and, by such name, shall have perpetual succession, with power to sue and be sued, to contract and be contracted with, and all the powers incident to corporations, for the purposes hereinafter mentioned, 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 said company, and for the management and good government of the same; and they may have a common seal, and the same may alter or 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 two hundred thousand dollars. Said company shall be located at Aurora, Kane county.

§ 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.

§ 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, not to exceed one million dollars. It shall be divided into shares of five (5) hundred dollars each, to be subscribed for, paid, issued and transferred in such proportions and manner as shall be prescribed by the by-laws and regulations of said company.

§ 4. The said corporation, for the purpose of carrying on its operations, in the manufacture of all kinds of cotton goods, 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, borrow money, make and execute contracts, and, generally, to do any and all acts, necessary for the successful carrying on of a general cotton manufacturing business.

§ 5. 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 seven and not more than ten 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

Name and style.
Corporate powers.

First board of directors.

Amount capital stock

Rights and privileges.

Corporate powers.

Board of directors.

adopt such by-laws, rules and regulations, not inconsistent with the laws of this state or of the United States, 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.

Organization.

§ 6. The corporators named in the first section of this act, or a majority of them, shall be commissioners under this act to open books of subscription to the capital stock of said company, and when the sum of one hundred thousand dollars is subscribed and fifty percent. thereon paid in, said company shall proceed to organize and to transact business under this charter.

§ 7. 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 March 26, 1869.

In force March
31, 1869.

AN ACT to incorporate the Aurora Manufacturing Company.

Corporators.

Name and style.
Corporate pow-
ers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Robinson L. Carter, Charles L. Hoyt, Lucius P. Hoyt, and their associates and successors, be and they are hereby created and declared a body politic and corporate, under the corporate name of "The Aurora Manufacturing Company;" and, by that name, may sue and be sued, plead and be impleaded, contract and be contracted with, acquire, receive, possess, enjoy, alien, incumber, 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; may adopt, have, change and renew a common seal; and, generally, shall have and enjoy all the powers and privileges that may be necessary to carry out the objects of said corporation.

Amount of
capital stock.

§ 2. The capital stock of said company shall be one hundred thousand dollars, and may be increased from time to time, by a resolution of the board of directors of said company, to any amount not exceeding one million dollars. Said stock 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 such 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, 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 in the city of Aurora.

§ 3. The corporation hereby created shall have power to carry on the business of manufacturing all kinds of machinery or any other article made of iron and wood, or either, or any other articles whatsoever; and shall, also, have power to purchase any patent of invention of whatever nature or kind, and to manufacture and sell the article or thing so patented and the patent therefor, or any part thereof or interest therein. Objects of the corporation.

§ 4. Said company is hereby authorized to receive, in payment for stock, cash, personal property or real estate, and may rent, lease or purchase any tract of land and water power, in the county of Kane, for the purpose of carrying on its business, as may be necessary. May purchase land and water power.

§ 5. The officers of said company shall be a president, secretary, and treasurer, and such other officers as may be provided for in the by-laws of said company. Said officers shall constitute a board of directors, and shall be elected as provided for in section two of this act, and annually thereafter, and, when elected, shall hold their respective offices for the term of one year and until their successors shall be duly elected. Said corporation shall have the power to increase the number of said board of directors, whenever deemed expedient. The board of directors shall have the power to make such by-laws, rules and regulations as they may deem proper, not conflicting with the laws of this state or of the United States, and, generally, shall have the business control of the affairs of said corporation. Officers, etc.

§ 6. The stock of said company shall be transferred only on the books of said company, by the owner thereof or his attorney. Transfer stock.

§ 7. The powers conferred by this act shall not be construed to authorize the business of banking, and this act shall take effect and be in force from and after its passage. Banking business prohibited. When act to take effect.

APPROVED March 31, 1869.

AN ACT to incorporate the Barnum and Richardson Manufacturing Company. In force March 15, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William H. Barnum, Samuel Hale, John Van Nortwich, Albert Alling, Perry H. Smith, and their successors, be and they are hereby created and constituted a body corporate and politic, under the name of "The Barnum and Richardson Manufacturing Company;" and, by such name, shall have perpetual succession, and shall be capable, in law, of suing and being sued, defending and being defended, in all courts Corporators. Name and style.

General powers. and places whatsoever; with full power to acquire, mortgage, hold, occupy and enjoy all such real and personal estate as may be necessary and convenient for the construction, extension and usefulness of the works of said company, and for the management of the same; and they may sell, exchange or otherwise dispose of any or all of such real estate; and may have a common seal, and the same may alter and renew at pleasure; and they may do and perform all such things and acts 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.

Amount of capital stock. § 2. The capital stock of said corporation shall be one hundred and fifty thousand dollars, with the right to increase the same, from time to time, to an amount not exceeding five hundred thousand dollars. 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.

First board of directors. § 3. 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 said corporation after its organization—said by-laws, however, to be subject at all times to the action of [the] stockholders, and to any change thereof which may be made of the same at any meeting of stockholders. The object and purpose of said incorporation shall be the manufacture and sale of car wheels, cars, locomotive tires, car axles, pig iron, and a general foundry and manufacturing business, including the purchase and sale, and the sale on commission, or otherwise, of iron, coal, ores, and such other articles and things as they may find it for their interest and advantage to deal in.

Corporate powers, how vested. § 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 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.

May borrow money. § 5. The said corporation is hereby authorized to borrow money, and to mortgage or lease any of its property or franchises.

§ 6. The said corporation is hereby authorized and empowered to purchase all the property of the Barnum and Richardson Manufacturing Company, now doing business in the city of Chicago, and existing under the general laws of this state, and is further authorized to pay for the same in the stock of the company hereby created. May purchase
other property.

§ 7. 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 March 15, 1869.

AN ACT to incorporate the Batavia Stone-dressing and Manufacturing Company. In force April
2, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Abijah C. Wheeler, Adin Mann, Lester M. Burroughs, James W. Eddy and Denison K. Town, and their associates and successors, are hereby constituted a body politic and corporate, by the name and style of "The Batavia Stone-dressing and Manufacturing 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 town of Batavia, in the county of Kane, and state of Illinois.* Corporators.

Corporate name
and powers.

Place of busi-
ness.

§ 2. Said company shall have power to quarry and dress stone, by machinery or otherwise; to take contracts for the erection of buildings, bridges or other structures, when the product of their quarries may be required; to own and possess such real estate as may be necessary for the proper carrying on of their business; to borrow money, and to mortgage or lease any of its real estate, property or franchises; and to establish and adopt such a code of by-laws and 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 or regulations do not conflict with the laws of this state or of the United States. Powers and pri-
vileges.

§ 3. Said company shall have power to build a dam, four feet high, across the east channel of Fox river, in the south half of section twenty-two, township thirty-nine north, range eight, in said county of Kane—said dam to be erected [on] and extend from the east bank of said Fox river, to an island in said river near the south line of said section twenty-two; thence in a northerly direction, up said river, from island to island, to the north line of the south half of said section; and in case said company shall Erect dam.

Condemnation
of land.

desire to obtain from the owners or proprietors thereof any lands that may be overflowed or otherwise injured by the construction of said dam or races, necessary for the proper development of any water power created thereby, and shall be unable to obtain the same by voluntary purchase, said company shall have power 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.

Amount capital
stock.

§ 4. The capital stock of said company shall be fifty thousand dollars, with the privilege of increasing the same to three hundred thousand dollars, and shall be divided into shares of one hundred dollars each.

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

APPROVED April 9, 1869.

In force March
24, 1869.

AN ACT to incorporate the Belleville Oil Works.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Jacob Brosius, Jacob Geiss, Bernhard Wick, and their associates, successors and assigns, be and they are hereby created a body politic and corporate, under the name and style of "The Belleville Oil Works;" and, under and by that name, they and their associates and successors shall have succession; contract and be contracted with, sue and be sued, in all the courts and places, as natural persons. They shall have power to organize such company by the appointment of a president and such other officers and servants as they may deem necessary, at such time and place as they may designate; and, when thus organized, they and their successors may have a common seal, and alter the same at pleasure; and shall have power to make such by-laws, rules and regulations as they may deem necessary, from time to time, for the government, management and prosecution of the business of said company, not inconsistent with the constitution and laws of this state and of the United States; and may employ as many agents as is [are] required, and define the powers and prescribe the duties of such agents.

May hold and
convey real es-
tate.

§ 2. The said company shall have the right of acquiring, holding and transferring real and personal property, of any and every description, by the method and ways usual with individuals; and of erecting, at such places in this state as may be reasonably necessary for the transaction of its business, such buildings, manufacturing establish-

ments, mills, and such other structures as may be necessary for the carrying on the manufacture of oils, white lead and colors, in this state. This corporation shall hold only as much real estate as may be reasonably necessary for said corporation to transact its business.

§ 3. The capital stock of said company may be fixed and altered by said company, but shall not exceed five hundred thousand dollars. The said capital stock may be divided into shares of one hundred dollars each, and sold and transferred as may be provided in the by-laws; and certificates of stock shall be issued to the holders thereof, whenever the same shall be paid for, wholly or in part, and shall be transferable on [the] books of the company in such manner as shall be prescribed by the by-laws; but no stock shall be transferred by any person or estate until all debts and demands of the company against such persons or estate 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 persons, estate or estates, until the same are fully paid. The holder of each share of one hundred dollars shall have the right to cast one vote at all elections held by the company for the election of the directors; but no transfer of stock within ninety days before an election will entitle the holder to a vote, except with the consent of a majority of the directors, entered on the record of the company. There shall be not less than three nor more than five directors, who shall elect their president, secretary, and other officers, agents, servants, etc.; but the secretary shall not be chosen out of the number of the directors.

Amount capital stock.

Business.

§ 4. Said company shall have a central office in the city of Belleville, St. Clair county, Illinois, and may establish branches and manufactories at such other places as may be necessary. The stockholders herein shall be responsible, in their individual property, in double the amount of their stock, to make good all losses; and no assignment of their stock shall release them from such 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 in the county where this corporation is doing business and located, for a period of three months.

Central office.

§ 5. This act to take effect from and after its passage.
APPROVED March 24, 1869.

In force March
25, 1869.

AN ACT to incorporate the Chicago Boot and Shoe Company.

Corporators.	<p>SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Charles H. Nichols, William Martin, Albert D. Guild and George B. Nichols, 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 Boot and Shoe 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.</p>
Amount of Capital stock.	<p>§ 2. The capital stock of said company shall be ten thousand dollars, with power to increase the same, by a 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.</p>
May hold and convey real estate.	<p>§ 3. 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, and to afford cheap and comfortable homes for the men in the employ of said company; 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 securities 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.</p>
General powers	<p>§ 4. 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 are elected and qualified. An election of directors shall be held by the stockholders when ten thousand dollars of the capital stock shall have been subscribed; and any two of the incorporators herein named may be commissioned to open books for subscription to the capital stock.</p>
Directors to manage affairs.	

§ 5. The directors shall, annually, elect a president and vice-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 interest of said company, not inconsistent with the laws of the state or of the United States; but no by-laws 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.

Rules for government.

§ 6. After the organization of the company and the election of the 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.

First board directors.

Annual election.

§ 7. 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. In the event that any person who may subscribe to the capital stock of the corporation hereby created shall fail to pay the full amount of such subscription, said corporation shall have no power to forfeit the amount paid by such subscriber or the right to complete the payment of such subscription and to claim therefor the proper certificate of stock, except upon giving notice, by publishing the fact of such non-payment and the intention to make such forfeiture, in some newspaper published in the county where the chief office of the corporation is located, for four successive weeks, when such non-paying subscriber or his legal representative may elect, at any time before the expiration of said four weeks, to sell and transfer his interest as such subscriber, and his assignee shall succeed to all his rights or to complete the required payments,

Pay subscriptions by installments.

Notice to make payment.

§ 8. It shall be lawful for the directors of said company, 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 interests of said company.

Dividends to be declared.

§ 9. The said company shall keep in the office of its secretary proper books, in which shall be kept a full and

Journal of proceedings.

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 the transfers thereof, also a record of the proceedings of the stockholders of said company, proceedings of its board of directors, and of its by-laws, rules and regulations, and of its business transactions; which book shall be subject to inspection at all times during business hours by any stockholder.

Gain and loss.

§ 10. It shall be lawful for said company to make such special arrangements as to afford facilities to their employees for participating in the gains and losses of the company, and, for such purposes, they may issue certificates of stock, which stock shall be known as and designated "co-operative stock": *Provided*, such stock shall be created under the authority of the by-laws of the company: *And provided, further*, that the by-law or by-laws creating such co-operative stock shall state specifically the conditions upon which said stock is issued and the rights of the holders thereof, and said condition shall be printed on the back of said certificates.

Banking business prohibited.

§ 11. Nothing in this act contained shall be construed as conferring banking powers upon the corporation hereby created.

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

APPROVED March 25, 1869.

In force March 15, 1869.

AN ACT to incorporate the Chicago Composition Granite Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Edward Westermayer, Alexander F. Stevenson and N. Henry Stevenson, and their associates and successors, are hereby made and constituted a body corporate and politic, by the name and style of "The Chicago Composition Granite Company"; and, as such corporation, shall have perpetual succession, may sue and be sued, and 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 purpose of said corporation.

Name and style.
Corporate powers.

Capital stock.

§ 2. The capital stock of said company shall be not less than fifty thousand dollars nor more than two hundred and fifty thousand dollars, and to be divided into shares of one hundred dollars each; and 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—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.

§ 3. The business of said company shall be conducted and its corporate power exercised by a board of directors, not exceeding seven nor less than three. The above corporators shall constitute 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 management of the business of said company as are not inconsistent with the laws of this state or of the United States.

Management.
Board of directors.

§ 4. 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.

Election of officers.

§ 5. The object of the company shall be to buy a patent or patents for the purpose of manufacturing composition granite; to engage in the business of manufacturing and selling granite house fronts, window caps, water tables, sills, floor tiles, in all colors and patterns, vases, tomb stones, church, building and ornamental work, in all styles and sizes, or other articles made of composition granite or other materials, or a combination of earthy matter, by any chemical process, and may sell and dispose of the same.

Objects of the corporation.

§ 6. The said corporation 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.

Open books for subscription.

§ 7. The said corporation shall have power to procure the loan of money on any property belonging to said corporation.

May borrow money.

§ 8. 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 15, 1869.

AN ACT to incorporate the Chicago Iron Company.

In force April 19, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That A. B¹ Meeker, G. L. Dunlap, P. L. Yoe, George Armour, Cyrus Bentley, F. Haskell and W. W. Bishop, and their associates, successors and assigns, be and they hereby are cre-*

Corporators.

ated a body politic and corporate, with perpetual succession, by the name and style of "The Chicago Iron Company;" and shall have power, by that name, to contract and be contracted with, sue and be sued, defend and be defended, in all courts and places and in all matters whatsoever; to have a common seal, and to alter, break and renew the same at pleasure; to manufacture iron and steel and all articles that may be made, partly or wholly, from the same; to transport all the materials proper and necessary for such manufacture to the place of manufacture and all the products of such manufacture to market; to own and run railroad cars, for the purpose of such transportation; to construct and operate branch railway tracks, side tracks and turnouts, each not exceeding one hundred and sixty rods in length, to connect its works with any main line of railroad; to acquire possession and title to lands necessary for the construction and maintenance of such tracks and turnouts, by purchase or donation, and not otherwise; to acquire, hold, occupy and enjoy all such real and personal estate as may be necessary and proper for carrying on such manufacture most favorably and profitably; and shall have and may exercise all other powers whatsoever for the successful prosecution of such manufacture and for carrying into effect the powers in this act granted.

Organization.

Election of directors.

§ 2. The persons hereinbefore named shall have power to organize said corporation, by the election or appointment of a board of directors, president and such other officers as they may think necessary; and after such organization, said corporation shall have power to make such by-laws, rules and regulations as it may from time to time deem necessary and proper for the management, control and disposition of the concerns, stock, property and estate thereof.

Amount of capital stock.

§ 3. The capital stock of said corporation shall be two hundred and fifty thousand dollars, which may be increased by said corporation, from time to time: *Provided*, the same shall never exceed one million dollars; and said capital stock shall be subscribed for and paid in such proportions, and the shares thereof shall be transferable in such manner and at such places, as shall be prescribed by the aforesaid by-laws and rules.

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

APPROVED April 12, 1869.

AN ACT to incorporate the Chicago Vise and Tool Company.

In force March
26, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That George W. Scott, Thomas W. Jones and Thomas Raybould, and whoever shall become stockholders in the company hereby created, are hereby incorporated into a body corporate, by the name of "Chicago Vise and Tool Company;" and by that name, may sue and be sued, plead and be impleaded, and have perpetual succession; shall have a common seal, with power to change the same at pleasure; and shall have the right to exercise all powers necessary for conducting the business hereinafter named as fully and completely as private persons might do.*

Corporators.

Corporate name
and powers.

§ 2. The capital stock of said corporation shall be fifty thousand dollars, divided into shares of one hundred dollars each, with power in said company to increase said capital, at discretion of its board of directors; said capital stock shall be deemed personal property, and shall be transferable in such manner as the by-laws and rules of said company shall specify; and at all meetings of stockholders each share shall be entitled to one vote.

Amount capital
stock.

§ 3. Said corporation is hereby authorized to carry on the business of smelting, rolling or otherwise working iron or other metals and manufacturing mechanics' tools; and, for that purpose, may erect or purchase all such buildings, mills, furnaces, machinery, structures and materials as shall be necessary or incident to said business, either in the city of Chicago or elsewhere; and, for the purpose of its said business, may acquire and hold all necessary real estate, and may sell, convey or mortgage the same, as its board of directors shall think proper.

Objects of the
corporation.

§ 4. The affairs of said company shall be managed by a board of three directors, who shall be chosen annually by the stockholders, at such time and in such manner as the by-laws of said company shall direct, and shall hold their office until their successors are chosen. Said board of directors shall elect a president, secretary and treasurer, and shall, also, appoint such other officers and agents as they shall deem needful for the proper transaction of the business of said company and prescribe their duties.

Management.

Board of direc-
tors.

§ 5. Said corporation may, by its proper agents in that behalf, become a party to any commercial paper in the same manner and to the extent that private persons might do.

May deal in
commercial pa-
per.

§ 6. The persons named in the first section of this act shall, within one year from the passage of this act, open books at some convenient place in the city of Chicago, for subscriptions to the capital stock of said company. They shall require at least ten per cent. to be paid on all subscrip-

Open books
for subscription

Call for pay-
ments due.

May
stock. forfeited

tions at the time of subscribing; and when stock to the amount of fifty thousand dollars is subscribed, they may close the books and call a meeting of the subscribers, for the purpose of electing a board of directors; at which meeting each subscriber shall be entitled to one vote for every share subscribed for, and on which he has paid said first installment of ten per cent.; and after the election of said board of directors, the further issue of stock and payment of that already subscribed for shall be under the control of said board of directors, who shall have power, from time to time, to make calls upon the subscribers in such amount as they may deem proper, and upon such notice as they, by their by-laws, prescribe, and shall have power to enforce payment thereof, either by a forfeiture of the shares of capital stock in case the same be not paid, or by suit at law for the amount due upon said calls so made, or by a sale of the shares of capital stock standing in the name of any non-paying stockholder to any person or persons; and at such sale said directors shall have power to buy in said stock, for the benefit of said company, and the purchaser or purchasers of said shares of capital stock so sold shall have and enjoy all the rights, privileges and profits accrued or to accrue thereon, and shall become liable for the payment of all calls then due or which may be thereafter made on said shares of capital stock.

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

APPROVED March 26, 1869.

In force March
25, 1869.

AN ACT to incorporate the Duffield Ham and Provision Company.

Corporators.

Name and style,

Corporate pow-
ers.

Amount capital
stock.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Charles Duffield, James E. Tyler, Charles Duffield, jr., David P. Henderson and John B. Drake, 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 Duffield Ham and Provision 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.*

§ 2. The capital stock of said company shall be two hundred thousand dollars, with power to increase the same by a vote of a majority of the stockholders, at any regular

or called meeting of the stockholders, to an amount not to exceed two million dollars; which said capital stock shall be divided into shares of one hundred dollars each, and shall be deemed personal property, and shall be transferable on the books of said company as its by-laws may prescribe.

§ 3. The said company hereby created is authorized and vested with full power to carry on the business of slaughtering, packing and curing hogs and cattle, to cure hams, breakfast bacon, and all kinds of meats, and to do a general provision business, in buying and selling provisions, and in slaughtering, packing and curing meats, on its own account as well as on commission. Said company may loan and make advances of money on provisions consigned to it or held by it in the regular transaction of its business, and may charge, collect and receive for such loans and advances interest not to exceed the rate of ten per centum per annum, and may also charge, collect and receive for all commissions such per centages as are or may be usual. Said company may, also, take and receive in store ham, bacon, and all kinds of provisions, and may issue therefor warehouse receipts, signed by the president and secretary of said company, which warehouse receipts shall be negotiable and transferable. Said company may charge, collect and receive the usual rates for storage, and may have a lien for commissions, advances and storage. Said company, in the regular and legitimate transaction of its business, as herein set forth, may make, buy and sell promissory notes, bills of exchange, foreign or domestic, at sight or on time; may sell ham, bacon and other provisions in this and other states, and in foreign cities, under commercial treaties already made or that hereafter may be made, on its own account and on commission; and may buy and sell, take, hold and dispose of real and personal estate and property, and appoint all such factors, agents, officers and employees, define their powers and duties, and require securities of them, as may be necessary; and do all other acts or things as natural persons have a right to and may do, in the transaction of its legitimate business, as herein set forth. Nothing in this act shall be construed as to invest said company with banking powers. The principal office and place of business shall be in the city of Chicago, in the county of Cook, and state of Illinois.

Objects of the corporation.

May deal in bills of exchange.

§ 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, and may, also, borrow money and pay interest thereon, and may 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

May hold and convey real estate.

its customers and others, upon real estate or personal property, or chattel interests, for debts due to it, including accruing or future indebtedness, and also bid in or purchase any real estate or personal property or chattel interest at any judicial or other sale made by virtue of debt, security, trust or power made to or 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.

Management.

Powers of the 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.

Annual election.

Rules for government.

§ 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 the authority of its by-laws, rules and regulations, shall be binding on said company.

Organization.

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.

Dividends to be declared.

§ 8. It shall be lawful for the directors of said company, 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.

Record of proceedings.

§ 9. 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 stockhold-

ers, 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 stockholder.

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

APPROVED March 25, 1869.

AN ACT to incorporate the Fairfield Manufacturing Company.

In force March
20, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Edward Bonham, Adam Rinard, Edward J. Black, William J. Sailer and Gilbert J. George, 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 Fairfield 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. The principal office of said company shall be located at Fairfield, in the county of Wayne, state of Illinois.

Corporators.

Name and style

General powers.

§ 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.

Open books for
subscription.

§ 3. The capital stock of said company shall be ten thousand dollars, with power to increase the same to be two hundred thousand dollars, to be subscribed and paid in, from time to time, in 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.

§ 4. All the corporate powers of said corporation shall be vested in and exercised by a board of directors and such

Corporate powers.

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.

Rules and regulations.

May borrow money.

§ 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 be in force from and after its passage.

APPROVED March 30, 1869.

In force March 25, 1869.

AN ACT to incorporate the Fairfield Woolen Manufacturing Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Thomas C. Stanley, William J. Sailer, Robert P. Hanna, William H. Robinson, Izra B. Andrey and John Black, 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 Fairfield Woolen Manufacturing Company," located in Fairfield, Wayne 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 purpose and intents of a manufacturing company.

Name and style.

Open books for subscription.

§ 2. A majority of the corporators herein named may 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 shareholder shall be entitled to one vote.

Capital stock.

§ 3. The corporate stock of said company shall be twenty 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 said company in such manner as its by-laws prescribe.

§ 4. The said corporation shall have power to borrow money and secure the same by deed of trust, mortgage or other securities, upon real or personal property, or the franchises of said company. May borrow money.

§ 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. May deal in deeds, bonds, etc

§ 6. It shall be lawful for the company hereby incorporated to purchase and hold such real estate as may be reasonably necessary 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. May purchase and hold real estate.

§ 7. The officers of said company shall be managed by a board of directors, at least three in number. After the election, as herein provided, the directors shall be elected 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 no-wise impair or affect the rights and powers of the directors holding over or the rights or interests of the stockholders or others interested. Management.
Annual election for directors.

§ 8. The directors shall have power to frame a body of by-laws, for the election or appointment of all the officers and agents in said company, and for regulating the operations of said company. By-laws.

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

APPROVED March 25, 1869.

AN ACT to incorporate the Galena Manufacturing Company.

In force March 30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Ralph S. Norris, John Lorrain, John H. Hellman, Christoph Bärner, John A. Burrichter, Thomas Foster and William Fiddick, who did on the 9th of January, A. D. 1867, incorporate themselves in conformity to an act of the general assembly of the state of Illinois, approved February 18th, 1857, entitled "An act authorizing the formation of corporations for manufacturing, mining, mechanical and chemical purposes," as a corporation, for the manufacturing of woolen goods and any other branch of manufacture or mechanical branch of business, in the city of Galena, county of* Incorporators.

Name and style.	JoDavieess, and state of Illinois, be and are hereby created a body corporate, with perpetual succession, by the name and style of "The Galena Manufacturing Company;" and,
Corporate powers.	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 in all places and in all matters and things whatsoever, with full power and authority to acquire property, hold, occupy, enjoy or dispose of the same; and they may have a common seal, which they may alter, change and break the same at pleasure.
Objects of the corporation.	§ 2. The corporation hereby created shall have full power and authority to manufacture and sell all kinds of woolen goods or any other kinds of manufactured fabrics, articles or things, made by machinery; to erect the necessary building works and apparatus on any lot or parcel of land that they now own, in the city of Galena, aforesaid.
Capital stock.	§ 3. The capital stock of said company shall be seventy thousand dollars, which may be increased to one hundred and twenty five thousand dollars, which stock shall be divided into shares of one hundred dollars each, and shall be deemed personal property, and shall be issued and transferred in such a manner as the board of directors, by by-laws, shall prescribe.
Business managed by directors.	§ 4. The corporation hereby created shall be managed by a board of directors, of not less than three nor more than five persons, who shall be stockholders of this company, who shall hold their office one year or until their successors are elected, who shall have power and authority to manage and control all the affairs and interests of said corporation, and make all such laws, rules and regulations that they may deem best to promote the interests of this company: <i>Provided</i> , they do not conflict with the laws of the state of Illinois.
Who entitled to vote.	§ 5. At all elections for a board of directors, each share shall be entitled to one vote, which board, when so elected, shall choose from among their own number a president, treasurer and secretary. John A. Burrichter, John H. Hellman, John A. Packard, John Lorrain and Ralph S. Norris, shall be the first directors, and who shall hold their offices for the first year.
Annual election.	§ 6. There shall be an election for directors on the first Tuesday in March, A. D. 1870, and every year ensuing thereafter.
Powers merged in new association.	§ 7. Whenever the holders of two-thirds of the capital stock of the Galena Manufacturing Company (meaning the company organized on the 9th of January, 1867, as set forth in the first section of this act) shall, by an instrument in writing, entered on the records of said company, signifying their acceptance of this act, then said company shall become the corporation created by this act; and all persons

owning stock in the former company shall become owners of a like amount of stock in the corporation created hereby; and all property owned by the former company shall become the property of the corporation created by this act; and all actions and rights of action which have accrued to the former company shall be vested in and prosecuted by the corporation hereby created; and the corporation created under this act shall be liable for all the debts and obligations of the former company.

§ 8. A certificate, signed by the president and countersigned by the secretary of said former company, with the real of said former company attached, certifying that an instrument in writing, accepting this act, has been executed and recorded, as provided by the seventh section of this act, by the holders of two-thirds of the capital stock, as aforesaid, shall be recorded in the office of the circuit court of Jo Daviess county, by the clerk thereof, as a true copy, shall be taken as evidence of the acceptance of this act, as heretofore provided, in all courts and places and for all other purposes.

Certificate of
acceptance
of
act recorded.

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

APPROVED March 30, 1869.

AN ACT to incorporate the Great Western Lightning Rod Company, of Chicago, In force April 9, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Thomas Buckley, John Macalister, I. F. Ballantyne, Arthur Dixon, Fred. Letz, William B. Walker, John H. O'Brien, Michael Keeley, 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 Great Western Lightning Rod 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 affairs: *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.

Corporate powers.

Organization of

- Amount of capital stock. § 2. The capital stock of said corporation shall be one 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 five hundred thousand dollars, in the discretion of the board of directors. The stock shall be transferable on the books of said corporation.
- Open books for subscription. § 3. Books of subscription may be opened at the discretion of the majority of 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 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 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 subscription 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.
- Organization. § 4. The said corporation shall have power: *First*—To construct and erect lightning conductors on all descriptions of buildings. *Second*—To guarantee indemnity for loss and damages caused by lightning to property which shall be protected by their lightning conductors.
- Term of office. § 5. The first board of directors shall hold their offices until the second Monday in January, next succeeding the organization of the company and until their successors are elected. On the second Monday in 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 such 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 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.
- Election, where and when held. Quorum. Vacancies. § 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 can-

vass 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 in the city of Chicago, at least ten days previous thereto.

§ 7. The directors may 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 and agents as the corporation may determine. Officers.

§ 8. All guarantees made by said corporation shall be subscribed by the president or 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. Guarantees,
how subscribed.

§ 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 doing
business.

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

§ 12. 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 same, under such regulations as the board of directors may prescribe. This act shall be void, unless 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. May borrow
money.

APPROVED April 9, 1869.

AN ACT to incorporate the Harrison Manufacturing Company, of Belleville, In force March 27, 1869.
Illinois,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That John M. Platt and such persons as he may associate with him, are hereby constituted a body politic and corporate, by the name and style of "The Harrison Manufacturing Company;" and, by that name and style, shall have succession* Corporators.

Name and style.

Corporate powers. and existence for twenty-five years, with power to contract and be contracted with, to sue and be sued, to plead and be impleaded, to make and use a common seal, and alter the same at pleasure; and shall be capable, in law, by the name and style aforesaid, of purchasing, holding and conveying any real and personal estate whatever, for the proposed interest and uses of this incorporation.

Amount capital stock. § 2. The capital stock of said company shall be one hundred thousand dollars, which may be increased to any amount, not exceeding two hundred thousand dollars, as the stockholders may, from time to time, deem proper, by a vote of two-thirds of the stock voted at an election held for such purpose, and will be divided into shares of five hundred dollars each.

Management. Board of directors. § 3. The company shall be managed by not less than three nor more than five directors, with all the powers necessary to conduct the business of the company, two of whom shall be a quorum, and who, after the first year, shall be annually elected. All elections shall be held at the office of the company, in the city of Belleville, Illinois, where the chief office and place of business shall be, on the first Monday after the first Thursday in July of each year after 1869. Notice of all elections shall be given in writing, thirty days before said elections, to the stockholders. Each share of stock shall be entitled to one vote, in person or by proxy: *Provided*, that no stock shall be voted at any election for directors that has not been, *bona fide*, held thirty days by the person or persons offering such vote, except in case of an executor, administrator or trustee, in which event such person shall exercise all the rights and privileges of the real owner; but if any of said stockholders shall pledge his stock, he may nevertheless represent the same at all such meetings and vote accordingly, or may discharge the duties of director or other office of the said company.

Annual election of directors. The persons who, at each annual election, shall have received the largest number of all the votes cast, shall be declared elected by the judges—of whom there shall be three selected from among the stockholders at the meeting for the election of directors—and shall at once enter upon the discharge of their duties, and shall so continue until their successors are elected; but should a failure to elect at the proper time occur, from any cause, the company shall not be dissolved on that account, but may hold such election at any time thereafter, as it may be convenient so to do.

Powers of the president. § 4. There shall be a president of the company, who shall be the general superintendent of its affairs. Said president shall be immediately elected from among the directors; a secretary shall also be elected by the directors, who may be a director, and shall be, *ex officio*, treasurer of the said company. It shall be the duty of the secretary to

make a monthly statement, showing a trial balance sheet of the books of the company, and as near as may be possible; also, an account of all the stock of the company, consisting of any article that [may] be held by it and for its use, either on the premises or elsewhere; he shall keep such books as will at all times show the condition of the affairs of the company, and be subject, generally, to the control of the president, from whose control only by an appeal to the board of directors can relief be obtained. If the secretary be elected from persons who are not stockholders, then such secretary and *ex officio* treasurer shall give a bond, satisfactory to the directors, in the penal sum of dollars, for the faithful performance and discharge of the duties devolving upon him. If the secretary and *ex officio* treasurer be a stockholder, his stock shall be pledged to the company for proper discharge of the duties devolving upon him; and should the said secretary, whose stock is so pledged, desire, at any time, to give a similar bond as in the case of one who, if secretary were [was] not a stockholder, then the directors shall be satisfied with the bond so given, and return or cause to be returned the stock so held by the company as security. The stock so held for security or bond so held for security shall be placed in the custody of the president.

Duties of the
secretary.

§ 5. The company shall have power to issue bonds, secured by mortgage upon its real property, with authority to pay any rate of interest, not exceeding ten per cent. per annum, they may find it to their interest to do, in the sum or sums not exceeding the whole amount of its capital originally, say one hundred thousand dollars—such bonds to be of one thousand dollars each, and for a term not exceeding twenty years, and interest coupons attached; which said bonds and other evidences of debt due by said company, for which a note may be given, shall be signed by the president and countersigned by the secretary, and stamped with the seal of the company.

Issue bonds.

§ 6. The capital stock of said company shall be paid up within twelve months from the date of its organization; which said organization shall take place as soon as the said stock is subscribed for; after which there shall be calls of twenty per centum, made payable in ten days; twenty per centum, made payable in thirty days; twenty per centum, payable in ninety days; twenty per centum, payable in one hundred and twenty days; and the remaining twenty per centum of the first one hundred thousand dollars, at any time within the twelve months, that it may be deemed expedient by the directors, first giving thirty days' notice to the stockholders; and in the event of any failure to pay any of the said installments, when due for thirty days, the installments already paid shall be forfeited to the company, and so entered upon the books of the company, unless arrangements are made with the directors for further time in

Capital stock.
Payment of.

Payments in
installments.

which to make said payments of such unpaid calls or installments.

Stockholders
held responsible
for debts.

§ 7. The stockholders shall be severally liable to the creditors of the company to an amount equal to the amount of stock held by them, respectively, for all debts and contracts made by such company, until the whole amount of the capital stock shall have been paid. The company shall issue certificates of stock, upon the reverse side of which each installment, as paid, shall be entered; and the face or body of same shall have expressed upon it the condition of forfeiture for non-payment of installments, as follows, to-wit: "This certificate is not transferable until all of the stock for which it is given to represent shall be paid according to the tenor of the charter under which this company is organized, viz: twenty per centum payable in ten days, twenty per centum payable in thirty days, twenty per centum payable in ninety days, twenty per centum payable in one hundred and twenty days, and the remaining twenty per cent. when called by the directors of the company, within twelve months, payable after thirty days' notice of such call, and for payment of which this stock is hereby pledged.

Certificate, form
of.

Stockholders'
non-liability.

§ 8. No person holding stock in this company, as executor, administrator, guardian or trustee, and no person holding such stock as collateral security shall be personally liable as stockholder of this company, but the person pledging such stock shall be considered as holding the same, and shall be liable as a stockholder accordingly; and any claim arising under this act against this company shall hold any property of such stockholder liable to the said company's creditors, for the amount of stock so held by such stockholder that may remain unpaid but no more.

Compensation
of officers.

§ 9. The directors shall, through the president and superintendent, employ all such persons and fix their salaries, as they may find it necessary to carry on the business in which they may engage, viz: the manufacturing of flour, in all its various branches, and have, in connection therewith, cooper shops and such other conveniences for the conducting of the said business, as they may deem proper.

May change
business.

§ 10. The stockholders of this company may, if deemed advantageous, by a vote of two-thirds, change the character of the business from a flour manufacturing one to that of any other branch of manufactures.

Dividends, how
and when de-
clared.

§ 11. The directors may, from time to time, declare any dividend they may deem proper: *Provided, however,* that the assets of the company are always sufficient to pay all debts that are owing or to become due by it; but should that not be the case, then and in that case all the stockholders shall be liable, outside of their stock, to the amount of the stock owned by them, *pro rata*, to pay all such indebtedness, and no more.

§ 12. The shares of this company shall be deemed personal property, and shall be transferred on the books of the company only, subject to the conditions named in section 6 of this act. Stock deemed personal property and transferable.

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

APPROVED March 27, 1869.

AN ACT to incorporate the Leighton Rail Company.

In force April 9, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John B. Drake, John Clark Hilton, Wm. Chrisholm, Thomas S. Sprague, James C. McMullin and John B. Turner, and their associates, are hereby created a body politic, under the name and style of "The Leighton Rail Company;" and, as such, shall have perpetual succession, 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 be five hundred thousand dollars, in shares of one hundred dollars each, and may be increased, from [time to] time, as the necessities of the company may require, and when one hundred thousand dollars have been subscribed and twenty-five thousand paid in, may organize and proceed to business under this charter. The principal office of said company shall be in the city of Chicago, with power to make and appoint agencies at such other points as the interests of said company may require. Amount capital stock. Location of office.

§ 3. The business and corporate powers of said company shall be exercised by a board of directors, not exceeding five nor less than three; and the three first named corporators shall be members of the first board, and annually thereafter, after its organization, the stockholders may elect directors—each share of stock being entitled to one vote in such elections. The directors shall have power to make such by-laws, for the conducting of its business, as are [not] inconsistent with the laws of this state or the United States. Management. Board of trustees.

§ 4. It shall be lawful for the company to lease, purchase, hold and convey all such real and personal estate as may be necessary to carry on their business as well as such real estate and personal estate as it is deemed necessary to acquire in the enforcement or settlement of any claim or demand arising out of their business transactions, and to sell or exchange the same for other property, as they may determine for the best interests of the company; and said May hold and convey real estate.

Issue bonds. company are hereby authorized to make and execute and issue, in the transaction of their business, all necessary certificates, receipts, contracts, bonds and mortgages; which several instruments shall have the impress or stamp of the seal of the company, and shall be signed by the president or vice-president and countersigned by the secretary or treasurer.

Objects of the corporation. § 5. The said company shall have power to erect blast furnaces, steel converters, rolling mills, and such other machinery as may be necessary for the manufacture of iron and steel in all its various branches.

Stock shares transferable. § 6. The stock of said company shall be transferred 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 be liberally construed as such.

APPROVED April 9, 1869.

In force March 27, 1869. AN ACT to incorporate the Litchfield Iron and Steel Manufactory Company.

Corporators SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That H. H. Beach, Daniel Armsden, R. W. O'Bannon, D. R. Sparks, Wesley Best, E. W. Gilmore, P. B. Updike, N. S. Palmer, John W. Jeffries, Tilman Shore, John McGinnis, William Grinstead, John Grinstead, Robert McWilliams and B. M. Munn, be and they are hereby created a body corporate and politic, with perpetual succession, by the name and style of*

Name and style. *"The Litchfield Iron and Steel Manufactory [Company];"*

Corporate powers. *and, by that name, they and their successors and associates shall be capable of 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, lease and enjoy all such real estate and personal property as may be necessary and proper for the construction of the factory of the company; and they may have a common seal, which they may alter or renew at pleasure.*

Objects of the corporation. § 2. The corporation hereby established shall have full power and authority to manufacture and sell all kinds of steel and iron-ware, including castings and rolled material; to erect and establish all necessary furnaces and rolling mills, and to supply the same with the material necessary for the carrying on such manufactory; and to carry on said manufactory at or near the city of Litchfield. The real estate which said corporation is entitled to hold shall not

exceed in value one hundred thousand dollars, not including the improvements thereon.

§ 3. The capital stock of said corporation shall not exceed three hundred thousand dollars, to be subscribed and paid for in such proportions as shall be prescribed by the by-laws and rules for the government of the affairs of the company and for the management and disposition of the stock, property and estate of the company, the duties of the officers, artificers and agents and servants to be employed, the number and selection of directors, and all such matters as appertain to the concerns of said company. The privileges hereby granted shall continue for a period of thirty years.

§ 4. This act is hereby declared a public act, and shall be in force on and after its passage.

APPROVED March 27, 1869.

AN ACT to incorporate the Lockport Manufacturing Company.

In force March 27, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Hiram Norton, George B. Marden, John F. Daggett, Robert Milne, John Heck, William Gooding, George Gaylord, John L. Norton, John V. Farwell, Lemuel D. Norton, Edward S. Lawrence, Marshall Field, William Hanly, Levi Z. Leiter, James H. Bowen, Mathew Laffin and Hiram Wheeler, 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 Lockport 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 interests of a manufacturing company, for manufacturing woolen and cotton fabrics or other manufactures. The principal office of said company shall be located at Lockport, in the county of Will, state of Illinois.

§ 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.

§ 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 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.

Corporate powers. § 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 this state.

Board of directors. Term of office Privileges. § 5. It shall be lawful for said corporation to purchase and hold such real estate, franchises and privileges, 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.

May borrow money. § 6. Said corporation is hereby authorized to borrow money, and mortgage and lease any property and franchises it may hold, to sue and be sued, to contract and be contracted with.

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

APPROVED March 27, 1869.

In force March 25, 1869.

AN ACT to incorporate the Lyndon Manufacturing 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 George W. Fitch, Henry Dudley, A. J. Warner, Henry G. Putnam, 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 Lyndon 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, in all courts of law and equity; may have a common seal, and alter the same at their pleasure; and they shall be capable, in law, of purchasing, holding, conveying and disposing of any such real and personal estate, as may be expedient and necessary to enable the said company to carry on their 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.

§ 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; 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.

Objects of the corporation.

§ 3. The affairs of said company shall be managed by a board of directors, not less than three nor more than five, who shall be stockholders therein, and who shall, after the first year, be annually elected by the stockholders, in pursuance of by-laws to be made by the said stockholders, to serve for one year 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, may 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.

Management.

Board of directors.

Vacancies, how filled.

§ 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 shall require; and they shall appoint such other officers and agents as may seem to them necessary, and fix the compensation of the same. It shall be the duty of the directors to make annual dividends from the earnings of the company, and to annually 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.

General powers

Dividends, etc.

§ 5. The capital stock of said company shall be one hundred 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

Capital stock.

to any amount not exceeding five hundred thousand dollars. It may be subscribed for and paid in such a 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; and absent members may vote by proxy, duly authorized in writing.

Location of
office.

§ 6. The principal office of said company shall be at Lyndon, in the county of Whiteside, and state of Illinois.

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

APPROVED March 25, 1869.

In force March
10, 1869.

AN ACT to incorporate the Marseilles Cotton Manufacturing Company.

Corporators.

Name and style.

Amount of
capital stock.

May purchase
land and build-
ings.

Corporate pow-
ers.

Directors.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Warren Aldrich, and others, and their successors, be and are hereby created and constituted a body corporate and politic, under the name of "The Marseilles Cotton Manufacturing Company;" and by such name shall have perpetual succession, with power to sue and be sued, and have all the powers and authority incident to corporations, for the purposes hereinafter mentioned.

§ 2. The capital stock of said corporation shall be one hundred and fifty thousand dollars, and may be increased, from time to time, at the pleasure of such corporation, for the purpose of extending their business. The stock 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 order.

§ 3. The said corporation, for the purposes of carrying on its operations and promoting the establishment of cotton or woollen manufacturing, is hereby authorized and empowered to purchase land, erect suitable buildings thereon, procure and set up the necessary machinery; to take, hold, mortgage and convey real estate; to make and execute contracts; to do any and all acts necessary for the successful carrying out of a general manufacturing business.

§ 4. All the corporate powers of the 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 more than seven nor

less than three of the stockholders, who shall be elected by the stockholders: *Provided*, that ten days' notice be given of such election to the stockholders, and a majority of the stock shall be represented at such election, at the organization of said company; and thereafter, at each and every year, at such time and place, in such manner as the said corporation shall by its by-laws prescribe. The said directors shall hold their offices until their successors be elected and qualified. The directors may fill any vacancies which may occur in the board by death, resignation or otherwise. The directors may, also, adopt a seal, and alter at their will; they may adopt such by-laws, rules and regulations, for the government of said corporation and the management of its business, as they may think proper, not inconsistent with the laws of this state.

Vacancies, how filled.

§ 6. This act shall be deemed a public act, and noticed by all courts as such; shall take effect from and after its passage.

APPROVED March 10, 1869.

AN ACT to incorporate the **Mason Iron Works.**

In force April 13, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Carlile Mason, George Mason, John Mohr, Childs H. Atkins, Thomas F. Burgess, their associates and successors, and all such persons as shall become stockholders in the company hereby created, be and they are hereby created a body politic and corporate, by the name and style of "The Mason Iron Works;" and by such name shall have perpetual succession; may sue and be sued; may have and, from time to time, change a common seal; and shall have, enjoy and exercise all the powers incident to corporations, for the purposes of an iron and brass foundry and machine manufacturing company; and may manufacture, and buy and sell, both for the company and for others, steam boilers, steam engines and heating apparatus.

Corporators.

Corporate name and powers.

§ 2. The capital stock of said corporation shall be two hundred thousand dollars; but the directors may, from [time to] time, increase the same to any sum not exceeding five hundred thousand dollars. It shall be divided into shares of one hundred dollars each, and may be issued, paid for and transferred in such manner as the board of directors may prescribe by the by-laws; and the said company may receive, in payment for stock, cash or personal property or such real estate as may, in the estimation of a majority of the board of directors, be advantageous for the company to possess.

Amount capital stock.

May hold and convey real estate.

§ 3. It shall be lawful for the company hereby incorporated to purchase and hold or lease such real estate, in the county of Cook, as may be deemed necessary by its managing officers for the successful prosecution of its business; and it may erect buildings and machinery thereon, such as in the opinion of a majority of the directors may be for the interest of the company; and such corporation may sell and convey or rent or sublet its real estate and buildings and machinery, or a portion thereof. Conveyances of the real estate of the company shall be signed by the president and secretary, and shall be under its corporate seal.

May borrow money.

§ 4. Said corporation shall have power to borrow money, and may secure the payment thereof by deed of trust, mortgage or other securities, and may take and hold trust deeds and other securities, to secure any indebtedness to the company; and may receive real estate in payment of any indebtedness to the company.

Subscription books opened to capital stock.

§ 5. The persons named in the first section of this act, or a majority of them, may cause books to be opened in the city of Chicago for subscriptions to the capital stock of said company; and when one hundred thousand dollars have been subscribed for they shall call a meeting of the subscribers for the stock, by giving such notice as they may deem proper; at which meeting the company may be organized, by the election of directors, not less than five in number; and the directors so elected shall hold their office until the next annual election and until their successors are elected and enter upon the discharge of their duties.

Directors to manage affairs.

§ 6. The corporation shall be under the control and management of a board of directors, not less than five in number. Such directors shall be elected by the stockholders, at such time and in such manner as the by-laws may prescribe; they shall be stockholders; they shall hold their office for one year and until their successors are elected and enter upon the discharge of their duties.

Vote of stockholders.

§ 7. At all meetings of stockholders and at all elections by stockholders, each share of stock shall be entitled to one vote, which may be given either in person or by proxy.

Rules for government.

§ 8. The directors of said company shall have and exercise all the powers hereby conferred on said corporation; they may make all such rules, regulations and by-laws, not inconsistent with the constitution or laws of the United States or of this state, for carrying into effect the objects of this act and managing the affairs of the company, as to them may seem expedient, and may alter and amend the same at pleasure; they shall elect a president from their own number, and may elect and appoint such other officers as the by-laws may provide for, and may appoint such agents as they may see fit. All the officers of the company may be members of the board of directors, unless otherwise directed by

the by-laws; and vacancies in the board of directors may be filled by the remaining directors.

§ 9. A correct record of all proceedings had at all meetings of stockholders or directors shall be kept, and accurate books of account shall be kept; which records and books of account shall, during ordinary business hours, be open to the inspection of all stockholders. Journal of proceedings.

§ 10. The general office of the company shall be in the city of Chicago. And this act shall be a public act, and shall be recognized and noticed as such by all courts, without pleading the same. Location of office.

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

APPROVED April 13, 1869.

AN ACT to incorporate the Moline Co-operative Manufacturing Company. In force March 25, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Johnathan Huntoon, H. F. Sickles, Oliver Gunnell, Amos Altamus, Geo. W. Flickenger, Robt. McMann, Westley Jones, Frank Gunnell, Montgomery Harris, Theodore Wheelock, T. Johnson, D. A. Holt, L. F. Kerns, D. W. Sickles, Jerome Magill, their associates, successors, and all such persons as shall become stockholders in the corporation hereby created, shall be a body corporate and politic, by the name and style of "The Moline Co-operative Manufacturing Company;" and shall have succession for the term of fifty years, with power, by that name, to contract and be contracted with, to sue and be sued, plead and be impleaded, and defend and be defended, in all courts of law and equity, in this state, or elsewhere. The corporation shall have a common seal, which they may alter or renew at pleasure; may appoint such agents and officers 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 of this state or of the United States. Said corporation shall be located at Moline, in the county of Rock Island, and state of Illinois. Corporators.

Corporate name and powers.

§ 2. The capital stock of said company shall be fifty thousand dollars, with power to increase the same to three hundred thousand dollars, and shall be divided into shares of one hundred dollars each, which shares shall be deemed personal property, and transferable on the books of the corporation, in accordance with the rules thereof. Amount capital stock.

May hold and convey real estate.

§ 3. The said corporation shall have power to purchase and hold such real estate as may be necessary for the transaction of its business, and may sell the same, erect buildings, manufacture all kinds of agricultural or other machinery, construct steam engines, and do all things in the manufacture of implements, articles of machinery or motive power, that may be made, fashioned, or constructed from wood, stone, iron, steel, brass, and other metals, and to combine the same.

To open books for subscription.

§ 4. A majority of the corporators herein named may proceed to open books for subscription to the stock of said corporation, in the town of Moline, or elsewhere, and shall at the same time or thereafter designate a time and place for the first election of directors of said corporation, by parties subscribing to the stock thereof; and each share of stock shall be entitled to one vote; and as soon as the sum of twenty thousand dollars shall be subscribed for and such per cent. as the corporation may require paid in, at the time of subscribing for the same, then said corporation, or a majority of them, shall call a meeting of the stockholders for the election of the first board of directors of said corporation; which election shall be superintended by said corporators, acting in the organization of the corporation; and the votes cast by parties subscribing to the stock thereof may be in person or by proxy, if the by-laws shall so permit: *Provided*, that no one stockholder shall, in person or by proxy, at any election of the corporation, cast more than fifty votes, for the shares owned by him or her; and as soon as the directors shall be elected, the said incorporators shall pass over all books, papers and money to said directors, so elected; and said corporators shall be discharged from farther duties as such under this act.

Officers.

§ 5. The officers of said corporation shall consist of a president and board of directors. The number and duty of said corporation shall be regulated by the by-laws, rules, and regulations adopted by the stockholders of said corporation. The directors shall hold their offices for one year, and until their successors are elected and qualified. A majority of the directors shall form a quorum for the transaction of business; and the board shall have power to fill vacancies in its members, if any shall occur; to appoint, from time to time, such other officers of the corporation as may be required for the transaction of its business. The stockholders shall elect such board of directors on the first Tuesday prior to the day fixed in the by-laws for the commencement of the business and fiscal year of the corporation, and annually thereafter.

Term of office.

Co-operation of members.

§ 6. No stockholder shall be entitled to receive any share or division of the profits of said corporation, unless he or she shall labor and co-operate in the interest of the corporation, directly or indirectly, devoting so much of his

or her time and skill as may be required by the rules and regulations of the corporation; and each stockholder, who shall so labor and co-operate, shall be paid such compensation for such labor and co-operation so rendered, as shall be established by the board of directors, to be regulated from time to time, as the interests of the corporation shall seem to require; and each and every one of said stockholders, who shall labor and co-operate, shall be entitled to fair and equitable dividends on all the profits and earnings of the corporation, according to the number of shares respectively owned by such stockholders, after deducting all necessary expenses for operating the business and leaving such amount for sinking fund as may be ordained by the by-laws: *And further, provided*, that each share shall be equally assessed for all losses arising from the legitimate prosecution of the business of the corporation.

§ 7. The said corporation shall have power to borrow money, from time to time, and to pledge and mortgage the property of the corporation to secure the payment thereof, as the board of directors may deem best for the interests of the corporation. May borrow money.

§ 8. The board of directors, by its presiding officer, may call meetings of the stockholders, whenever it shall be deemed necessary, or when requested, in writing, so to do by any ten stockholders of the corporation. The by-laws of the corporation may be altered or amended, or revised at any regular or special meeting, by a vote of two-thirds of the stockholders voting by shares, as prescribed in section four (4) of this act. Meetings called.

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

APPROVED March 25, 1869.

AN ACT to incorporate the Northwestern Agricultural, Mechanical and Manufacturing Association. In force March 31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That George S. Bowen, Milton S. Patrick, John S. Reynolds, Leander McCornick, P. W. Gates, Enos Cobb, Philip Wadsworth, Henry H. Porter, David Gage, William G. Lewis, John B. Drake, Charles M. Henderson and Joseph M. Drake, and their associates, successors and survivors, be and they are hereby made and created a body politic and corporate, under the name and style of "The Northwestern Agricultural, Mechanical and Manufacturing Association;" and, by that name, shall be known in all places, and have perpetual Corporators.

Corporate name and powers.

succession; may sue and be sued, implead and be impleaded, defend and be defended against, answer and be answered unto, contract and be contracted with; may have and use a common seal, with power to alter and renew the same at pleasure; may adopt by-laws, for the government and direction of said association; and shall have and enjoy all the franchises, privileges and immunities necessary and incident to the effectual carrying out of the objects and intents of this act.

Objects of the corporation.

§ 2. The objects of said association are hereby declared to be, the encouragement, maintenance and advancement of the agricultural, mechanical and manufacturing arts and sciences in the northwest; and to that end, said association may call and hold such meetings and exhibitions as will encourage the invention, exhibition and improvement of all the useful and practical arts and sciences connected with agriculture, mechanics and manufactures. All such exhibitions and meetings shall be held and conducted under such rules and regulations and upon such terms as the said association shall prescribe. And said association may invite competition and exhibition, by offering and bestowing premiums or other rewards; and may charge and fix rates of admission to such exhibitions.

May receive gifts, etc.

§ 3. For the purpose of providing a place for such exhibitions and meetings, the said association may acquire and hold, by gift, devise, lease or purchase, such an amount of land, in the county of Cook, not exceeding one hundred and sixty acres, as may be necessary or desirable therefor, and erect and construct thereon such buildings and other appurtenances and improvements as may be deemed advisable.

Grounds to be furnished to the state fair association.

§ 4. Whenever the Illinois State Agricultural Society shall desire and request the use of the grounds of said association, for the purpose of holding the Annual Illinois State Fair, the said association shall furnish their said grounds, or so much thereof as may be necessary, for such purpose, free of charge.

Amount of capital stock.

§ 5. The capital stock of said association shall consist of two hundred and fifty thousand dollars, to be divided into shares of one hundred dollars each, and said capital stock may be increased to an amount not exceeding one million of dollars, by a majority vote of the directors, at any regular meeting thereof. The shares of stock shall be assignable.

Management.

Board of directors.

§ 6. The immediate direction, supervision, government and control of said association shall be vested in a board of not less than seven directors, who shall be stockholders. The persons named in the first section of this act, or such of them as shall subscribe to the capital stock of said association, shall constitute the first board of directors, and shall hold office for a term not exceeding one year after the

organization of said association. After said board of directors shall have organized said association, they shall provide for the election of a new board of directors, to be held within one year after the date of said organization, and annually thereafter; at which elections each stockholder shall be entitled to one vote, either in person or by proxy, for each share of stock owned by him and standing in his name on the books of said association at the date of such election; and such directors, so elected, shall hold office for one year and until their successors are chosen. A majority of said board of directors shall constitute a quorum for the transaction of business. Said board of directors shall elect from their number a president, vice president, and treasurer. They shall also have power to appoint a secretary, superintendent, and such other officers, clerks, agents and employees as they may deem necessary, and prescribe their duties, and fix and pay their compensation.

Board of directors to provide for a new election.

Quorum to do business.

Appointment of officers.

§ 7. It shall be the duty of the secretary, or some other person appointed for that purpose by the board of directors, to collect and arrange statistics, information and facts in relation to agriculture, mechanics and manufactures in the northwest, and preserve the same in the archives of the association, where they shall be open to the inspection of the public at all reasonable times, and shall make an annual report thereof to the association, in such manner as the directors may prescribe or direct.

Duties of the secretary.

§ 8. When the grounds and buildings of said association shall not be in use by the said association, they may be leased, in whole, or in part, to other parties, for any purpose not inconsistent with good morals and the preservation of the character of said association.

Grounds and buildings may be leased.

§ 9. Honorary members of said association may be elected by a three-fourths vote of all the board of directors. It shall not be requisite to an honorary membership that such honorary member shall be a stockholder in said association.

Election of honorary members.

§ 10. During any exhibition of said association, the directors may employ and adopt such police force and regulations upon their grounds, as may be deemed advisable to preserve order.

Adopt police force.

§ 11. The board of directors shall have power to adopt by-laws, and alter and amend the same at pleasure. Said by-laws shall provide for the execution of the powers hereby conferred, for the manner of transferring shares of stock of the association, and for the effectual government, direction and control of the affairs of said association.

By-laws, rule and regulations.

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

APPROVED March 31, 1869.

in force April 9, 1869. AN ACT to incorporate The Northwestern Carriage Manufacturing Company of Chicago, Illinois.

Corporators.	SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That George McElwain, Chester F. Hall, David Ford, Eugene Ford, Julian Kune and John Schaub, and their associates and successors, be and they are hereby created a body politic and
Corporate name and powers.	corporate, under the name of "The Northwestern Carriage Manufacturing 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 such an amount of real property as may be absolutely necessary to carry on the business of said corporation, and no more; to acquire, hold and convey personal property; 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.
Objects of the corporation.	§ 2. The said corporation shall have power to manufacture all kinds of carriages, wagons, buggies, carts, and all kinds of wheeled vehicles, and to erect shops and other buildings necessary for the successful prosecution of such business.
Capital stock.	§ 3. The capital stock of said corporation shall be not less than twenty-five thousand dollars, and shall not exceed two hundred thousand dollars, to be divided into shares of one hundred dollars each.
Open books for subscription.	§ 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.
Corporate powers.	§ 5. 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 George McElwain, Chester F. Hall, David Ford, Eugene Ford and Julian Kune, 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, 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.	
Term of office.	
Appointment of officers.	§ 6. The said directors shall choose from their number a president, who shall appoint a secretary, a general superintendent, and a treasurer—said appointments, however,

to be confirmed by the board of directors. The said officers shall have the management of the business of said corporation until their successors are elected and duly qualified.

§ 7. The company shall at all times keep proper books of accounts, in which shall be registered all the business transactions of the corporation; and said books to be open, at all reasonable hours of the day, to the inspection of the stockholders. It shall, also, be the duty of the directors to make annual dividends, and whenever required by a majority of the stockholders, to exhibit, at a general meeting, a full and perfect statement of the debts and credits of the company, and all such matters as may be deemed essential in relation to the affairs of the company. Journal of proceedings.

§ 8. The treasurer, secretary and general superintendent shall give proper security for the faithful performance of their respective duties. Officers.
Bond and security required.

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

APPROVED April 9, 1869.

AN ACT to incorporate the Northwestern Fire Arms Company.

In force March 30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That John D. Easter, Wm. C. Dodge, E. A. West, Daniel Fast, and L. L. Bond, and their associates, successors and assigns, be and they are hereby created a body corporate and politic, by the name and style of "The Northwestern Fire Arms 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 constructing, purchasing, holding and using and selling such machinery, stock, materials and other property, and of purchasing, holding and conveying such real estate in the city of Chicago or elsewhere, as may be found necessary or desirable for the business and objects of this corporation, whose general office shall be in the city of Chicago.* Corporators.
Name and style.
Corporate powers.

§ 2. The said corporation is authorized to manufacture, purchase and sell shot guns, pistols, rifles and other fire arms, and materials for the manufacture of the same. Objects of the corporation.

§ 3. The capital stock of said company shall be fifty thousand dollars, and may be increased to any sum not exceeding five hundred thousand dollars, and shall be divided into shares of one hundred dollars each. Such shares shall be personal property, and transferable in such manner as the by-laws of said company shall prescribe. Amount of capital stock.

Directors to
manage affairs.

§ 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 five. 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 of one year and until their successors are elected,

First board of
directors.

§ 5. 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 are elected as here provided.

General powers.

§ 6. The directors of said company, a majority of which shall constitute a quorum, 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, 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 vacancies that may happen among the directors or officers, by death, resignation or otherwise.

§ 7. 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 March 30, 1869.

In force March
9, 1869.

AN ACT to incorporate the North Chicago Rolling Mill Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Eber B. Ward, Stephen Clement and Orrin Potter, and whoever shall become stockholders in the company hereby created, are hereby incorporated into a body corporate, by the name of "North Chicago Rolling Mill Company;"* and, by that name, may sue and be sued, plead and be impleaded, and have perpetual succession; shall have a common seal with power to change the same at pleasure; and shall have the right to exercise all powers necessary for conducting the business hereinafter named, as fully and completely as private persons might do.

Corporate name
and powers.

Amount capital
stock

§ 2. The capital stock of said corporation shall be one million dollars, divided into shares of one hundred dollars each, with power in said company to increase said capital to three millions of dollars, in the discretion of the board of directors. Said capital stock shall be deemed personal property, and shall be transferable in such man-

ner as the by-laws and rules of said company shall specify. And at all meetings of stockholders, each share shall be entitled to one vote.

§ 3. Said corporation is hereby authorized to carry on the business of smelting, rolling or otherwise working iron and other metals ; and for that purpose, may erect or purchase all such buildings, mills, furnaces, machinery, structures and materials as shall be necessary or incident to said said business, either in the city of Chicago, or elsewhere ; and for the purpose of its said business, may acquire and hold all necessary real estate, and may sell, convey or mortgage the same, as its board of directors may think proper. Objects of the corporation.

§ 4. The affairs of said company shall be managed by a board of three directors who shall be chosen, annually, by the stockholders, at such time and in such manner as the by laws of said company shall direct, and shall hold their offices until their successors are chosen. Said board of directors shall elect a president, secretary and treasurer and shall also appoint such other officers and agents as they shall deem needful for the proper transaction of the business of said company, and prescribe their duties. Management.
Board of directors.

§ 5. Said company shall have the right to purchase the property of the Chicago Rolling Mill Company, on the North Branch of the Chicago river, and pay for the same in stock of the company hereby created ; and in the event of such purchase, may maintain and operate the railroad track, as the same is now laid down, connecting the works of said company with the track of the Chicago and Northwestern Railway Company. Rights and privileges.

§ 6. Said corporation may, by its proper agents, in that behalf, become a party to any commercial paper, in the same manner and to the same extent that a private person might do. Action of agents

§ 7. The persons named in the first section of this act shall, within one year from the passage of this act, open books at some convenient place in the city of Chicago, for subscriptions to the capital stock of said company. They shall require at least ten per cent., to be paid on all subscriptions at the time of subscribing ; and when stock to the amount of one hundred thousand dollars is subscribed, they may close the books and call a meeting of the subscribers, for the purpose of electing a board of directors, at which meeting each subscriber shall be entitled to one vote for every share subscribed for and on which he has paid said first installment of ten per cent. And after the election of said board of directors, the further issue of stock and payment for that already subscribed for shall be under the control of said board. Opening subscription books.

Vote of the stockholders.

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

APPROVED March 9, 1869.

In force April 9, 1869. AN ACT to incorporate the Northwestern Stone Company of Chicago.

Corporators.	SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Peter Wolf, Michael W. Wolf and John Koch, and their associates and successors, are hereby constituted a body politic
Name and style.	and corporate by the name and style of "The Northwestern Stone Company of Chicago," with perpetual succession, for the purpose of quarrying, dressing, selling 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 building 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
Corporate powers.	to contract and be contracted with, to sue and be sued, plead and be impleaded, appear, prosecute and defend, in any or all courts of law or equity, in all suits or 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 or other values or effects; may make, erect or construct, on their own or leased premises, all buildings, machinery and works, necessary for carrying on their operations and transport the products of their said quarrying and works; and shall enjoy all the privileges incident to corporations, for such purposes, and possess all the powers, rights and immunities necessary to execute and carry on such business, in the state of Illinois or elsewhere.
Management.	§ 2. The business and affairs of the said company shall be managed by a board of not less than three nor more than five 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 offices for the term of two 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. 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 company: <i>Provided</i> , that they be not repugnant to the laws of the United States or
Directors.	
Term of office.	

of this state or to the provisions of this act of incorporation. 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, with or without the seal of said corporation being affixed.

§ 3. The capital stock of said corporation shall not be less than one hundred thousand dollars, and shall not exceed five hundred thousand dollars, and shall be divided into shares of one hundred dollars each. The directors chosen under the second section of this act, or a majority of them, are hereby authorized to open books of subscription for taking said stock, at such times and places as they may deem proper. The said directors shall require each subscriber to said stock to pay ten dollars on each share subscribed, at the time of subscribing, and may require the residue to be paid in at such times, in such installments and in such manner as the majority of said directors may, by by-laws, order or direct; and in the event of the non-payment of any call, within ten days after due notice, which may be by letter mailed to his or her address, or otherwise, it shall be lawful for the majority of the directors, at their option, to enforce such payment or to sell at public auction, after giving ten days' notice in some daily newspaper published in the city of Chicago, the amount of stock standing in the name of such non-paying stockholders to any person or persons, or to buy in the same, for the benefit of the corporation; and the purchaser or purchasers of such shares of stock shall have and enjoy all the rights, privileges, dividends and profits accruing or accrued to or in respect of the said shares of stock, and become liable for the payment of all calls then due or thereafter made on said shares of stock. The said corporation is also empowered to borrow money and to pay interest thereon, and to make and execute bonds, bills, notes, mortgages and other evidences of debt, as may be necessary for the carrying on the business of said corporation; and may, also, take security from its customers and others upon real estate or personal property, for current accounts, including accruing and future indebtedness, and, also, to bid in or purchase any real estate or chattel property at any judicial or other sale, when necessary to secure the rights and interests of said corporation, and to take and receive in satisfaction of any debt or security any real or other property, and to hold and dispose of the same for its own use and benefit.

Amount of capital stock.

Payment of installments.

Stock, forfeited.

May borrow money.

§ 4. There shall be a meeting of the stockholders, at the office of the company in Chicago, on the first Wednesday of each and every year; and at any such meeting seven stockholders or shareholders, representing, either by ownership or proxy, one-half of the capital of the company, shall constitute a quorum for transacting business.

Annual meeting of stockholders.

Who entitled to vote. § 5. At all elections for directors, the stockholders or shareholders shall be entitled to one vote, by themselves or proxy, for each share of stock held and owned by them, respectively; and a majority of the votes so cast shall make such election valid.

Organization. § 6. At any time, within two years from and after the passage of this act, 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 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.

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

APPROVED April 9, 1869.

In force March 26, 1869. AN ACT to incorporate the Novelty Iron Works Manufacturing Company.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Aaron J. Hull and Frank T. June, their associates, successors and assigns, be and they are hereby constituted a body corporate and politic, under the name and style of Name and style. "The Novelty Iron Works Manufacturing Company;" and, as such, shall have perpetual succession, a common seal, with power to break, alter or 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 places whatsoever.

May hold and convey real estate. § 2. The said corporation is hereby vested with power to purchase, hold and convey real and personal estate, and incur the same at pleasure; to give and receive promissory notes; and to enter into and carry on the manufacture of iron and wood tools, instruments or articles, of any nature whatever.

Amount of capital stock. § 3. The capital stock of said company shall be twenty thousand dollars, with power to increase the same to one hundred thousand dollars, to be subscribed and paid for in the manner prescribed in the by-laws to be formed by said company, and 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.

§ 4. Said company shall have power to adopt such by-laws as they may deem proper for their government, not inconsistent with the laws of this state or of the United States; and may prescribe therein for creating such offices and agencies as they may consider necessary, and for the method of filling the same; for the manner of voting, and the time and place for holding elections; for the employment of servants, and for any and all regulations necessary to carry into execution the powers herein granted: *Provided*, that the same shall contain nothing inconsistent with the laws and constitution of this state or of the United States.

Rules for government.

§ 5. Said corporators may proceed to open books for subscription to the capital stock of said company, and when the amount of twelve thousand dollars shall have been subscribed, by due notice to the stockholders thereof, may organize under this act.

Open books for subscription

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

APPROVED March 26, 1869.

AN ACT to incorporate the Paris Paper Manufacturing Company. In force April 5, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That David B. Elliott, James A. Eads, A. A. Hannah, A. B. Austin and William B. Henry, and their associates, 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 Paris Paper Manufacturing Company;" and shall have succession, a common seal, power to sue and be sued, 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 interests of a paper manufacturing company, of all kinds and descriptions of paper, and of all and every kind of material they may choose to use in the manufacture of paper. Said company shall be located at Paris, Edgar county.

Corporators.

Name and style.

§ 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 the directors of said company, by parties subscribing to the stock

Open books for subscription

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 ten thousand dollars, with power to increase the same to two 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 transferred on the books of said company in such manner as its by-laws may prescribe.

May borrow money. § 4. Said corporation shall have power to borrow money, and may secure the payment of the same by mortgage or other security.

May purchase and hold property. § 5. It may be lawful for said 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, or as may be necessary to collect or secure debts owing or due to said company by judgment or otherwise, and may have power to sell and convey the same.

Directors to manage affairs. § 6. The affairs of said 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 no wise impair or affect the rights and powers of directors holding over or the rights and interests of the stockholders or others interested.

Rules for government. § 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 regulate their duties and the business of said company generally; and to alter the same in the manner to be provided by 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 April 5, 1869.

In force March
26, 1869.

AN ACT to incorporate the Prairie State Manufacturing Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Wiley R. Brasfield, Ira J. Halsted, Robert C. Steele, Orson N.*

Stafford and William Chamberlain, 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 of "The Prairie State Manufacturing Company;" and shall have succession, a common seal, with power to alter the same; power to plead and be impleaded, to sue and be sued, of contracting and being contracted with, and 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 manufacturing company, for manufacturing implements and machines for agricultural and mechanical purposes. The principal office of said company shall be located at Springfield, Sangamon county, in the state of Illinois.

Name and style.

Corporate powers.

§ 2. The capital stock of said company shall be fifty thousand dollars, and may be increased, by a resolution of a majority of the board of directors of said company, not exceeding three hundred thousand 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 company.

Amount of capital stock.

§ 3. The said corporation, for the purpose of carrying on its operations and promoting the establishing of agricultural implements and machinery manufactories, is hereby authorized and empowered to purchase land, erect suitable buildings thereon, or to rent or lease land or buildings for the same, 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; and shall, also, have power to purchase any patent of inventions pertaining to the making or improving of agricultural implements and other machinery, and to hold, use, sell and convey any patent or patents of inventions purchased by said company or articles of machinery manufactured by said corporation.

Objects of the corporation.

§ 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 they may 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 regu-

Corporate powers.

First board of directors.

lations 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. 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, as the board of directors may deem proper for the promotion of the business of said company.

Stock transferable.

§ 6. The stock of said company shall be transferred only on the books of said company by the owner thereof or his attorney.

Stockholders' votes.

§ 7. Each stockholder shall be allowed one vote for each and every share of stock subscribed or held by him.

Quorum.

§ 8. A majority of the board of directors shall constitute a quorum for the transaction of business.

Banking business prohibited.

§ 9. The power conferred by this act shall not be construed to authorize the business of banking.

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

APPROVED March 26, 1869.

In force March 30, 1869.

AN ACT to incorporate the Railroad Economic Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That George R. Chittenden, C. F. Jauriet, E. C. Partridge, George P. Lee, Edward S. Everts, and their associates, 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 Railroad Economic Company;" and, by that name, they and their successors shall have perpetual succession, and may contract and be contracted with, sue and be sued; may have a common seal, and change the same at pleasure; and may have and enjoy all the powers necessary to carry out and execute the purposes of said corporation.

Name and style

Objects of the corporation.

§ 2. Said company shall have power to manufacture and sell Jauriet's Coal Burning Fire Box and locomotives containing the same, and any other articles or machinery used by railroad companies; and may purchase and own the whole or any interest in any letters patent for such fire box or other articles or machinery; and may be licensed to use any such patent, and may sell or otherwise dispose of any interest which may be acquired therein, and license others to use the same.

§ 3. The capital stock of said company shall be one hundred thousand dollars, to be divided into shares of one hundred dollars each, and shall be transferable on the books of the company, subject to such rules as the by-laws may prescribe, and shall be personal property. Such capital stock may be increased, from time to time, by vote of the directors, to any sum not exceeding one million dollars.

Amount capital stock.

§ 4. A majority of the corporators herein named may proceed to open books for subscriptions to the capital stock of said company, and when fifty thousand dollars have been subscribed for, the company may be organized, and such corporators, or a majority of them, shall designate a time and place for the election of directors of said company, by parties subscribing to the capital thereof; and at all elections each share of stock shall be entitled to one vote, which may be given in person or by proxy.

Open books for subscription.

§ 5. Said company may purchase, own and hold such real estate and personal property as may be deemed necessary by the directors for the prosecution of its business; and may sell, mortgage and convey the same, and may borrow money and secure the payment thereof in the usual manner.

Possession of real estate.

§ 6. The affairs of the company shall be managed by a board of directors, not less than five in number, who shall be stockholders, and shall be elected, after the first election, at such time and in such manner as the by-laws of said company may provide, and shall hold their offices until their successors are elected and enter upon the discharge of their duties.

Business managed by directors.

§ 7. The directors of said company shall have and exercise all the powers hereby conferred on such corporation, and may elect and appoint such officers and agents and make such rules, regulations and by-laws as to them shall seem expedient, and not inconsistent with the constitution and laws of the United States or of this state; and shall have power to fill any vacancy that may occur in said board of directors. The by-laws may be altered as may be therein prescribed. The principal place of business of such company shall be in Chicago.

General powers.

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

APPROVED March 30, 1869

In force March 31, 1869. AN ACT to incorporate the Quincy Journeymen Tobaccoists' Association.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That George H. Brinkop, John C. Rains, Thomas B. Bronaugh, Reuben Walleber, Frederick Wehmhauer and Charles W. Chumbler, and their associates, who now are or may become members of the Journeymen Tobaccoists' Association of the city of Quincy, be and hereby are incorporated and made a body politic, with perpetual succession, under the name and style of "The Quincy Journeymen Tobaccoists' Association," for the promotion of mental and moral improvement, skill in the manufacture of tobacco, and mutual assistance in cases of distress and disease, with power, by their corporate name, to sue and be sued, plead and be impleaded, to contract and be contracted with, to acquire and hold and convey property, real and personal, and to have, use and alter at pleasure a common seal.

§ 2. The said corporation shall have power to make, establish, alter and amend a constitution and such by-laws, not inconsistent with the constitution of the United States or of this state, as they may deem necessary for the government of said association, its officers and agents.

§ 3. The capital stock of said company shall not exceed fifty thousand dollars, to be divided into shares of five dollars each, to be subscribed for and paid in such manner and proportion as shall be prescribed by the by-laws and rules for regulating said association.

§ 4. The persons, or a majority of them, named in the first section of this act, are hereby constituted a board of managers for the affairs of said association until the first general meeting to be held under the present constitution, when a constitution and by-laws shall be adopted under this charter, and until a board of officers shall have been elected under the constitution and by-laws adopted under this charter.

§ 5. In addition to the power to create capital stock, as aforesaid, the corporation shall have power to fix and levy upon their members, in the manner provided for in their constitution and by-laws, such contributions, from time to time, as may be necessary to carry out the purposes of said association, and to collect the same by process of law, and to impose and legally to collect fines for any violation of duty by any of the officers and members of said association which they have to perform under the constitution and by-laws of said association.

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

APPROVED March 31, 1869.

AN ACT to incorporate the Rock Falls Manufacturing Company.

In force March
29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Thomas A. Galt, James A. Patterson, A. B. Smith 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 Rock Falls Manufacturing Company;" and shall have succession, a common seal, power to plead and be impleaded, to sue and be sued, in all courts of law and equity; to appoint all necessary officers and assistants; and may have and enjoy all the power necessary to carry out and execute the purposes and intents of a manufacturing company for manufacturing cotton, woolen and flax goods, agricultural and mechanical implements, and any other thing. The manufacturing establishment and principal office of said company shall be located in the village of Rock Falls, in the county of Whiteside, and state of Illinois.

Corporators.

Name and style.

General powers.

Place of business.

§ 2. A majority of the corporation 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 persons subscribing to the stock thereof; and each share of stock so subscribed for shall be entitled to one vote.

Open books
for subscription

§ 3. The capital stock of said company shall be 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 manner and form prescribed by the by-laws to be formed by said company, 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 as its by-laws may prescribe.

Amount 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 board of directors shall consist of five 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 one year and until their successors are elected and qualified, and may fill vacancies which may happen in the board of directors from any cause. 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.

Corporate powers.

Board of directors.

Rules and by-laws.

§ 5. Said corporation is hereby authorized to borrow money and may secure the payment of the same by a deed of trust, mortgage or other security. The stock, property

May borrow
money.

and effects of said company shall be liable and subject to execution and 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.

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

APPROVED March 29, 1869.

In force March
31, 1869.

AN ACT to incorporate the Salem Manufacturing Company.

Corporators.	SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That John Cunningham, B. F. Marshall, Josiah J. Bennett, H. C. Moore, Erasmus Hull, D. K. Green, Bernard Swartz, James S. Martin and Jacob O'Cleanse, and their associates and successors, and all such persons as shall become stockholders in the company hereby created, shall be a body politic
Name and style.	and corporate, by the name and style of "The Salem 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. The principal office of said company shall be located at the city of Salem, in the county of Marion and state of Illinois.
Office, location.	§ 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 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.
Open books for subscription.	§ 3. The capital stock of said company shall be ten thousand dollars, with the power to increase the same to one 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 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.
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 board
Management. Powers of the directors.	

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 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 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 this state.

§ 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. May borrow money.

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

APPROVED March 31, 1869.

AN ACT to incorporate the Salem Woolen Manufacturing Company. In force March 31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That N. F. Marshall, John Cunningham, J. J. Bennett, E. Hall, H. C. Moore and James S. Martin, and their successors, be and they are hereby created and constituted a body corporate and politic, under the name and style of "The Salem 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. Said company shall be located at Salem, in the county of Marion, in the state of Illinois. Corporators.
Name and style.

§ 2. The capital stock of said corporation shall be ten thousand dollars, and may be increased to one hundred thousand dollars, 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 establishment of woolen manufactures, is hereby authorized and empowered to purchase land, 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. Objects of the corporation.

Powers of the
directors.

Vacancies.

§ 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; thereafter, of not less than three nor more than five stockholders, 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 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.

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

APPROVED March 31, 1869.

In force March 25, 1869. AN ACT to incorporate the Shawnee Iron and Transportation 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 John McKee Peeples, Thomas S. Ridgway, Charles Carroll, George A. Ridgway and Henry O. Docker, and their associates, successors and assigns, be and they are hereby created a body corporate and politic, by the name of "The Shawnee Iron and Transportation 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 and renew the same at pleasure; to make by-laws, rules and regulations in respect to the management of their property and transaction of their business.

Capital stock.

§ 2. The capital stock of said corporation shall be one hundred thousand dollars, divided into shares of one hundred dollars each, which shall be deemed personal property, and assignable in such manner as may be prescribed by the by-laws of said corporation. The capital stock of said corporation may be increased to any amount, not exceeding one million of dollars, by the vote of a majority of the directors. The office for business of said company shall be in the city of Shawneetown.

§ 3. The object and business of said corporation shall be the manufacturing of iron, and all the other metals and combination of metals; 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 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 of the corporation

§ 4. Said corporation is authorized to borrow money, and issue bonds, under its corporate seal, therefor, and to secure the same by pledging its property and franchises for the payment thereof.

Borrow money.

Issue bonds.

§ 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.

Powers of the directors

§ 6. Any three of the persons named in the first section of this act, after giving ten days' notice in a newspaper published in the city of Shawneetown, 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 election, qualification and term of office of officers and agents shall be determined by by-law.

Open books for subscription.

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

APPROVED March 25, 1869.

AN ACT to incorporate the Sparta Manufacturing and Coal Railroad In force April 17, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That John Watson, J. W. McCutcheon, Robert H. Rosborough, Herman C. Cole, August Phillips and Samuel C. McKee, [their] associates, successors and assigns, are hereby created a body corporate and politic, under the name and style of "The Sparta Manufacturing and Coal Railroad Company,"* with perpetual succession; and, by that name, shall be and

Corporators.

Name and style

Corporate powers.

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 any other place; 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, as hereinafter set forth.

Construction of railroad.

§ 2. The said company are hereby authorized to locate, construct and finally complete a railroad, from a point on the bank of the Mississippi river, at within two miles of where the Kaskaskia river empties into said Mississippi river; thence, upon the most eligible and direct route, to the city of Sparta, in Randolph county; and, for this purpose, said company are authorized to lay out their said railroad not exceeding one hundred feet in width, through the whole length; and for the purposes of cuttings, embankments, stone or gravel, may take as much more land as may be necessary for the proper construction of and security of said railroad; and shall have power to extend the same to and connect with the Illinois Central or any other railroad within the state; and may make such laterals or branch railroad or railroads, to any coal lands belonging to said company, as they may deem necessary for the successful prosecution of their business: *Provided*, that said company shall not own or operate more than twenty-five miles in length of any such railroad; and that said company shall receive and transport, as common carriers, all freight and passengers which may be offered to it for transportation on the line of such road, at fair and equitable rates, and that said company shall, as such common carriers, transport wood, coal and other freight of a similar class or character.

Connect with other roads.

Privileges.

Examinations and surveys.

Private property may be taken.

§ 3. Said corporators are hereby authorized, by their agents, surveyors and engineers, to cause such examinations and surveys of the ground and country between the Mississippi river and the city of Sparta and of the extension and laterals, as shall be necessary to determine the most advantageous route for the proper line or course whereon to construct the 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 and maintenance of said railroad, depots, sidetracks, water stations, engine houses, machine shops, and other buildings and appendages, necessary for the construction and working of said road; and where lands so entered upon are not donated by the owners thereof, they shall be paid for in the manner provided for by law for taking lands for the construction of public roads, canals or other public works.

§ 4. The said corporation may take and transport upon Rate of toll. said railroad any person or persons, merchandise or other property, by steam or animal power, and may fix, establish, take and receive such rates of toll for any passengers and property transported upon 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 they may deem necessary and expedient to accomplish the designs and purposes of said company.

§ 5. The said corporation are hereby vested with power to purchase, hold and convey such real and personal estate as may be convenient and necessary for the economical transaction of its business, as herein set forth, and no more; may erect machine shops, furnaces and foundries, in Randolph county; and may engage in and on the business of manufacturing and selling iron or any and all kinds of articles which may be made or constructed, in whole or in part of iron, steel or other metals or combination thereof; and may buy, build or own boats, barges or other water Purchase, hold and convey real estate. craft; may navigate the same, for the transportation of their coal, manufactures and for their other purposes. May use boats.

§ 6. The capital stock of said company shall consist of Capital stock. five hundred thousand (500,000) dollars, and may be increased, from time to time, to an amount sufficient to complete the objects of said corporation, to be divided into shares of one hundred (100) dollars each; and the immediate direction and government of said company shall be vested in five directors, who shall be chosen by the stockholders, in the manner hereinafter provided, who shall hold Term of office. their offices for one year and until their successors shall be elected and duly qualified to take their places as directors, a majority of whom shall form a quorum for the transaction of business; shall elect one of their number president of the company; and said board of directors shall have power to appoint a secretary, treasurer, and all other officers and agents necessary in the transaction of the business of the company. Appointment of officers. In addition to the powers herein granted, the corporation hereby created shall have, possess and enjoy all the rights, powers, privileges and immunities heretofore conferred upon or granted to the Chester and Chicago Branch Junction Railroad Company: *Provided*, that the corporation hereby created shall be subject to any future act of legislation of a general nature, enacted for purposes of regulating companies authorized in this state for similar purposes.

§ 7. The persons named in the first section of this act, Organization. or a majority of them, shall meet at the city of Sparta, and organize, by appointing one of their number chairman, and shall appoint a secretary; and after organizing shall give notice, of at least thirty days, published in not less than

two newspapers printed in Randolph county, of the time and places where subscription books shall be opened for the subscription of stock to said company; and at the time and places so appointed, said person or persons appointed by a majority of them, shall superintend the opening of books and subscription of stocks.

Meeting of stockholders. § 8. When the sum of one hundred thousand (100,000) dollars shall have been subscribed and paid, or secured to be paid, the persons superintending the opening of books and subscriptions of stock shall call a meeting of the subscribers, at the city of Sparta, who shall proceed to organize the company, by electing directors, a president and secretary, and such other officers as may be necessary; and at all elections the subscribers shall, by themselves, or their proxies duly authorized, be entitled to cast one vote for each share of stock so held by him or her; and when so organized all books, papers and money shall be delivered over to the president, directors and company by the persons holding the same.

Time of commencement. § 9. The company incorporated by this act shall commence their said railroad within two years after the passage hereof; and this act shall be deemed and taken as a public act, and shall be in force from and after its passage.

When this act to take effect.

APPROVED April 17, 1869.

In force March 31, 1869. AN ACT to incorporate the Sycamore Marsh Harvester Manufacturing Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Reuben Ellwood, William W. Marsh, William Loomis, John C. Waterman, James S. Waterman, Charles Kellum, John H. Rogers, George P. Wild and Charles W. Marsh, their associates and successors, be and are hereby constituted a body corporate and politic, under the name and style of "The Sycamore Marsh Harvester Manufacturing Company," with all powers, rights, privileges and immunities incident to corporations and necessary and useful for the purposes of this act.

Amount capital stock. § 2. The capital stock of said corporation shall be ninety thousand dollars, and be divided into shares of one hundred dollars each; and it may be increased and diminished, from time to time, as a majority of the stockholders may direct, and shall be issued and transferred in such a manner and under such conditions as the directors of the said company shall, by the by-laws thereof, direct.

§ 3. The corporate powers of the said company shall be vested in and exercised by a board of directors, consisting of such number of stockholders, not less than three nor more than seven, as the stockholders 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 said company, and shall hold their offices for one year and until their successors shall have been elected and qualified. They shall elect one of their number president of said company, and may fill any vacancy in the said company 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, not inconsistent with the constitutional laws of this state or of the United States, 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 and may exercise all powers of such board: *Provided*, that said corporators shall call an election of directors, as hereinbefore mentioned, on or before the 15th day of April, 1869, giving notice of such election in the newspaper printed in Sycamore, at least ten days prior to said election.

Corporate powers.

Board of directors.

Rules for government.

§ 4. The said corporation shall have power to manufacture and sell Marsh Harvesters, and any and all agricultural implements and machines, wagons, buggies, carriages, cutters and sleighs; and the general office of said company shall be in the city of Sycamore, in the county of DeKalb, and in the state of Illinois.

Objects of the corporation.

§ 5. The said corporation shall have power to acquire and hold real and personal estate, and may sell and convey the same, at pleasure; it may borrow or loan money and secure the payment of the same by deed of trust, mortgage or other security, as a natural person.

May hold and convey real estate.

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

APPROVED March 31, 1869.

AN ACT to incorporate the Union Brass Manufacturing Company.

In force March 26, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Lyman I. Todd, Charles A. Hitchcock, John Crerar, John McGregor Adams and John H. Dow, and their associates and successors, and all such persons as shall become stockholders in the company hereby created, shall be a body politic

Corporators.

Name and style. and corporate, by the name and style of "The Union Brass Manufacturing 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. The said company shall be located in the county of Cook, and have its chief office in the city of Chicago.

Location of office. § 2. The capital stock of said company shall be twenty 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 one hundred and fifty thousand dollars, by a vote of the 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 corporation shall prescribe.

Amount capital stock. § 3. Said company is authorized and empowered 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, and also to borrow money and pay interest thereon, and to 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 securities from its customers and others, upon real estate or personal property or chattel interests, for debts due it, including future or accruing indebtedness; and may also bid in or purchase any real estate or personal property or chattel interest, 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 may receive or take, in satisfaction of any debt or security, any real estate or other property, and may hold or dispose of the same for its own use and benefit.

May hold and convey real estate. § 4. The said corporation is authorized to manufacture, purchase and sell railway supplies of all kinds, brass and brass wares, and all other metal wares and merchandise and machinery.

Objects of the corporation. § 5. The corporation hereby created shall be under the direction of a board of directors of not less than three nor more than seven, who 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.

Corporate powers. Board of directors. § 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

Powers and privileges.

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.

§ 7. It shall be lawful for the directors of said company, 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. Dividends to be declared.

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

APPROVED March 26, 1869.

AN ACT to incorporate the Union Copper Distilling Company of Cook County, Illinois. In force April 15, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Theodore Kraefft, Nathan Eisendrath, Joseph Roelh and Anton Junker, 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 "Union Copper Distilling Company;" and, by that name, they and their successors shall be known and have 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 alter the same at pleasure. Corporators.
Name and style.
Corporate powers.

§ 2. The capital stock of said company shall be one hundred thousand dollars, with power to increase the same to one million dollars, to be subscribed and paid for in manner hereinafter mentioned; which said capital shall be divided into shares of one hundred dollars each, and shall be deemed personal property, and shall be transferable on the books of said company in such manner as its by-laws may prescribe. Amount capital stock.

§ 3. The object of the said company is, and it is hereby empowered to distill, re-distill, rectify and compound domestic liquors and wines, and also to acquire, purchase, manufacture, sell and deal in wines, spirituous, fermented, distilled and rectified liquors, and all materials used for the manufacture of the same. Objects of the corporation.

§ 4. It shall be lawful for the said company to acquire, purchase and hold or sell and dispose of such real and personal estate as may be necessary for the transaction of its May hold and convey real estate.

business, and also to borrow money, and to pay interest thereon; and to make and execute bonds, bills, notes, mortgages and other securities and evidences of indebtedness, as may be necessary for the carrying on the business mentioned in section three of this act; and may also take security from its customers and others, upon real estate and personal property or chattel interests, for current accounts, including accruing and future indebtedness; and also, to bid in or purchase any real estate or other property or chattel interests, at any judicial or other sale made by virtue of any debt, security, trust or power made to or vested in or held by or for the said company, and to receive and take, in satisfaction of any debt or security, any real estate, and to hold and dispose of the same for its own use and benefit. It may also lease any real estate, machinery and fixtures necessary to conduct its business.

Directors to manage affairs.

§ 5. The affairs of said company shall be managed by a board of directors, of at least three. They shall hold their office for one year, and until their successors shall be elected and qualified; and an election of directors shall be held by the stockholders when and so soon as the capital stock shall have been subscribed, and five per cent. paid thereon. Any three of the corporators herein named shall be commissioners to open books for subscriptions to the capital stock, which shall be done within one year from and after the passage of this act; and the money so received by the commissioners shall be paid over to the directors, when elected.

Subscription books opened to capital stock.

Annual election of officers.

§ 6. The directors shall, annually, elect a president from their own body. They shall have the 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 agents and attorneys as they may deem necessary and proper, and may prescribe their duties, fix their remuneration, require bonds, and do all other acts which may be deemed expedient to promote the interests of the said company, not inconsistent with the laws of this state or of the United States; but no by-laws of the said company shall be passed without the consent of a majority of the directors; and all the acts of the duly appointed officers and agents of the said company, done and performed under authority of its by-laws, rules and regulations, shall be binding upon the said company. The bond from the treasurer shall not be less than thirty thousand dollars.

Election of board of directors.

§ 7. The election of directors of the said company shall be held annually, on the first Monday in January in each and every year, at such place as the board of directors may appoint. Such election shall be by ballot. Every stock-

holder shall be entitled to one vote for every share of capital stock standing in his or their name on the books of the said company, and may vote in person or by proxy.

§ 8. The directors shall have power to call for the balance due on the subscription to the stock of the 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, (which may be by letter, mailed to his or her address, as it appears upon the stock books of said company,) it shall be lawful for the directors, at their option, to enforce such payment, or to sell at 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 the said company; and the proceeds of such sale shall be paid over to such non-paying stockholder, who shall, upon such sale, cease to be a stockholder in the said company; and the purchaser or purchasers of said shares of stock shall have and enjoy all the rights, privileges, dividends and profits accruing or accrued to or in respect of the said shares of stock, and become liable for the payment of all calls then due or thereafter made on said shares of stock.

Call for payments due.

§ 9. It shall be lawful for the directors of said company, from time to time, to make and declare and pay dividends upon the capital stock of the said company, in such manner and in such amounts as they may deem most expedient for the interests of the said company.

Declare dividends.

§ 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 addresses of the 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 of 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 reasonable times during business hours, by any stockholder of said company.

Record of proceedings.

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

This bill having been returned by the governor with objections thereto, and after reconsideration having passed both houses by a constitutional majority, it has become a law this third day of March, A. D. 1869.

EDWARD RUMMEL,
Secretary of State.

IN FORCE April 15, 1869.

In force March 29, 1869. AN ACT to incorporate the Western Paper and Envelope Manufacturing Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Charles Knickerbocker, Charles B. Holmes, Elijah B. Shuman, Clarence C. Cheney, Judson M. W. Jones, Merrill Ladd, Edmond A. West, Andrew Shuman, William A. Suter, Belden F. Culver, Douglas S. Esterbrooks, and their associates and successors, be and they hereby are created a body corporate and politic, with perpetual succession, by the name and style of "The Western Paper and Envelope Manufacturing Company;" and, by that name may contract and be contracted with, sue and be sued, implead and be impleaded, appear, answer, and defend, in all courts and places; have and use a common seal, and the same alter and renew at pleasure; purchase, lease, acquire, receive, possess, sell, convey or mortgage all such property and effects, real and personal, choses in action, securities and things, and do and perform all such acts and things as may be deemed necessary or convenient for the prosecution of the business of this company, as hereinafter indicated; make, establish and put into operation such by-laws, rules and regulations, not being contrary to the laws of this state or the United States, as may be deemed necessary or convenient for its government and regulation and the management of its affairs, and alter, amend or repeal the same at pleasure; make, erect, construct, build or lease any races, roads, rights of way, mills, structures, machinery and apparatus which may seem desirable in the prosecution of said business.

§ 2. This company shall have power to make, manufacture, stamp, purchase and sell envelopes and paper, of every kind or nature, and from every kind of material whatsoever, and also all kinds of articles which are or may be made or constructed from paper or kindred substances.

§ 3. The capital stock of said company shall consist of not less than one hundred thousand dollars, and may be increased, from time to time, to any sum not exceeding five hundred thousand dollars, at the pleasure of the stockholders, in the manner prescribed in the by-laws. Said stock shall be divided into shares of one hundred dollars each, which shall be considered personal property, and transferable on the books of the company, as the by-laws may prescribe.

§ 4. The affairs of this company shall be managed by a board of directors, to consist of not less than five or more than fifteen, as the by-laws may prescribe, to be chosen from the stockholders, a majority of whom shall constitute a quorum for the transaction of business, unless the num-

Corporators.

Corporate name and powers.

Objects of the corporation.

Amount of capital stock.

Management.
Board of directors.

ber exceed nine, in which case five shall constitute a quorum. The persons named in the first section of this act shall be and hereby are constituted a board of directors, to serve as such until the first annual election and until their successors are duly elected.

§ 5. The principal office of this company shall be in the city of Chicago, but its business may be extended to or carried on at such other places as the stockholders may, by vote, decide, or the board of directors may deem for the interests of the company. Location of office.

§ 6. The annual election of directors shall take place on the second Monday of January, in each year, after the complete organization of this company, at the principal office thereof, notice of which shall be given by the directors, specifying therein the hour of the day, either in person or by communication transmitted by mail, and also, in addition, by a notice inserted in one or more of the daily newspapers published in the city of Chicago, at least ten days immediately preceding such election. Said election shall be by ballot, by a plurality of stock, allowing one vote for each share, either in person, or by proxy authenticated in such manner as the board of directors may prescribe. Annual election for directors.

§ 7. The board of directors shall elect from their number a president, vice-president, secretary and treasurer, who shall hold office until their successors are chosen, as provided by the by-laws of said company. Meetings of the board of directors shall be called in the manner and upon such notice as they shall determine or the by-laws may prescribe. All vacancies occurring in the board may be filled by the remaining directors from the stockholders. The board of directors may appoint such other officers as they deem necessary, who shall retain their positions at the pleasure of the board, unless otherwise provided in the by-laws. If, for any cause, the annual elections shall not take place on the day herein specified, this company shall not thereby be dissolved, but it shall be lawful, on any other day, to hold an election, in the same manner and upon the same notice hereinbefore provided. Election of officers.

8. Books of subscription may be opened by the persons named herein, or any of them, for that purpose by vote designated; and when the said sum of one hundred thousand dollars shall have been subscribed and twenty-five per cent. thereof, in cash, paid in, and the remainder thereof secured to the satisfaction of the directors, and the officers named herein shall have been chosen, the company shall be fully organized and invested with all the powers hereby conferred or designated to be conferred. To open books for subscription.

§ 9. The directors may assess and collect such installments of the unpaid stock as may be necessary to carry on said business: *Provided*, such installments shall in no case Assessments on unpaid stock.

exceed in the aggregate, twenty-five dollars on each share in any year.

§ 10. This act shall be considered a public act, and be liberally construed to effectuate the objects herein specified, and shall be in force from and after its passage.

APPROVED March 29, 1869.

MANUFACTURING COMPANIES—NEW PRIVILEGES.

in force March 29, 1869. AN ACT to amend the charter of the Fox River Manufacturing Company.

Act perpetual. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the term of the existence of the Fox River Manufacturing Company, a corporation heretofore organized, and now doing business under and in pursuance of an act of the general assembly of the state of Illinois, entitled "An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes," approved February 12th, 1857, be and the same is hereby extended and made perpetual.

Increase of capital stock. § 2. The said company may increase its capital stock, from time to time, to an amount not to exceed one million of dollars; but no such increases shall be made, except upon the request of the holders of a majority of the stock of said company, to be expressed by vote, at a regular meeting of the stockholders, called for that purpose, and announced by publication for thirty days in some newspaper published in the town or city where the chief office of said company is located.

Increase of directors. § 3. The number of persons composing the board of directors of said company may be increased, from time to time, at the option of the stockholders, not to exceed nine.

May borrow money. § 4. The said company shall have power to borrow money, in such sums and on such time and terms as the board of directors shall see fit, and to secure the payment thereof by deed of trust, mortgage, or other security, upon its real estate, personal effects and franchises, or such parts thereof as shall be necessary.

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

APPROVED March 29, 1869.

AN ACT to amend an act entitled "An act to incorporate the Illinois Manufacturing Company," approved March 7, 1867. in force March 27, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the name of the said company, created by the said act to which this is an amendment, be and the same is hereby changed to that of "The Northwestern Window Glass Manufacturing Company;" by which name the said the Illinois Manufacturing Company shall be hereafter known. Name changed.

§ 2. The capital stock of said company may be twenty-five thousand dollars; and when the said stock shall equal said sum, in *bona fide* subscriptions the said company shall have full power and authority to do all business authorized by said act to which this is an amendment or by this act. Amount capital stock.

§ 3. The said company may fix, by its by-laws, the number of its directors and the number and duties of such other officers and agents as it deems necessary. Rules for government.

§ 4. The said company is authorized to engage in the business of manufacturing glass and glass ware and other articles and the materials used in the manufacture of glass, and may buy and hold, by lease or otherwise, such real estate as may be necessary to carry on their business, including sand beds, peat beds, and coal mines. Objects of the corporation.

§ 5. Said company is authorized to buy and hold the necessary real estate, for the purposes of furnishing homes and tenements for its operatives, and to open and carry on such stores and shops as it may deem necessary and advisable, with a view to supply to its operatives and others food, goods, and other articles, at the lowest possible cost. May purchase and hold real estate.

§ 6. Said company is authorized to create a preferred stock; and to pledge its stock to secure its creditors. It may declare dividends on the basis of both capital and labor, and may fix and limit the amount of capital stock to any sum, not exceeding the whole amount authorized by law. Dividends to be declared.

§ 7. Said company is authorized to make contracts with its operatives, to allow them to become stockholders and to pay in their own labor for such stock. Privileges.

§ 8. Any stockholder or stockholders, desiring so to do, shall be allowed, at any election of directors, to select such number or proportion of said directors as the amount of stock held or represented by him or them bears to the whole amount of stock, and, in such case, shall have no vote for the residue of said directors, except for those not so elected by other stockholders, and to the extent of the stock not used in the selection and election of such directors as he or they so choose to name. Vote of stockholders.

Rights con-
tinued.

§ 9. Nothing contained in this act shall, by implication, repeal or diminish the powers or rights given by the original act to which this is an amendment.

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

APPROVED March 27, 1869.

in force March
2, 1869.

AN ACT to enable the Joliet Woolen Manufacturing Company at Joliet to mortgage its property.

Mortgages.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That "The Joliet Woolen Manufacturing Company," a corporation heretofore organized under the laws of this state, located in the city of Joliet, in Will county, be and they are authorized and empowered, by and through the president and secretary, to mortgage, incumber, and in any manner most advisable, to create a lien upon any or all the property and effects of said company, to secure any *bona fide* indebtedness, or for the purpose of raising money to pay off any such indebtedness, or for the purpose of carrying on the business and affairs of said company.

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

APPROVED March 2, 1869.

In force Jan. 28
1869.

AN ACT to amend an act entitled "An act to incorporate the National Watch Company," approved February 15th, A. D. 1865.

Sec. 3 amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section three (3) of the act to which this is an amendment be and the same is hereby altered and amended, by striking out from said section three (3) the words "not exceeding five hundred thousand dollars," and substituting therefor the words "not exceeding two millions dollars."

§ 2. 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 January 28, 1869.

AN ACT to amend an act entitled "An act to incorporate the Northwestern Manufacturing Company," approved February 23d, 1867. In force March 9, 1869.

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 company created and incorporated by the said act, and organized under the same as the Northwestern Manufacturing Company, be and is hereby changed to "The Frear Stone Manufacturing Company;" by which last mentioned name and style the said company shall be known; may exercise the several powers conferred by and shall be subject to the several provisions contained in the said act. Name changed.

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

APPROVED March 9, 1869.

AN ACT to amend an act entitled "An act to incorporate the Oconto Company and change its name to the Duncan City Company." In force March 13, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the name of the Oconto Company, incorporated by an act entitled "An act to incorporate the Oconto Company," approved February 22d, 1867, be changed to "The Duncan City Company." Name changed.

§ 2. The Duncan City Company shall have the same powers and privileges as were given to the Oconto Company, and shall be subject to all its liabilities, by the act incorporating the same mentioned in section 1 of this act. Privileges.

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

APPROVED March 13, 1869.

AN ACT supplementary to an act entitled "An act to incorporate the Ottawa Manufacturing Company, and to authorize said company to build a dam across the Illinois river, and to use the water power thereby created." In force April 19, 1869.

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 Ottawa Manufacturing Company, and to authorize said company to build a dam across the Illinois river, and to use the water power Act revived.

thereby created," approved February 13, 1857, is hereby revived and declared to be in full force and effect, and section nine (9) thereof amended, so that the limitation therein contained shall be computed from the passage of this act, instead of from the passage of said original act.

Sec. 1 amended.

§ 2. *Be it further enacted*, that section one (1) of said original act be so amended that John D. Caton, Richard Thorns, Joseph O. Glover, William Reddick, Herman Silver, George C. Campbell, and their associates and successors, shall be and constitute the said body politic and corporate, with all the powers, privileges and immunities conferred and provided in said original act.

Sec. 2 amended.

§ 3. *Be it further enacted*, that section two (2) of said original act be so amended that the dam therein mentioned and described may be located, constructed and completed at any point within five (5) miles above the mouth of the said Fox river, in said section mentioned.

§ 4. This act shall be deemed a public act, and take effect from and after its passage, and all laws in conflict with it are hereby repealed.

APPROVED April 19, 1869.

In force March
27, 1869.

AN ACT to amend an act entitled "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," passed by the general assembly of the state of Illinois, and approved on the seventeenth day of February, A. D. 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section six (6) of an act entitled "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," passed by the general assembly of the state of Illinois, and approved on the seventeenth day of February, A. D. 1867, be and is hereby amended by inserting the words "vice-president" after the word "president," in said sixth section.

Sec. 6 amended.

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

APPROVED March 27, 1869.

AN ACT to authorize the United States Wind Engine and Pump Company to remove their place of business from the city of Chicago, in the county of Cook, to the village of Batavia, in the county of Kane, and for other purposes. In force March 27, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the removal of the place of business of the United States Wind Engine and Pump Company from the city of Chicago, in the county of Cook, to Batavia, in the county of Kane, be and the same is hereby legalized, and every and all acts, transactions and things done by said company since said removal shall have the same force and effect as though the original certificate of organization had been filed in the circuit clerk's office, in Kane county. Place of business.

§ 2. That said company is hereby authorized to carry on their business in said Batavia the same as though the original certificate of organization had been filed in Kane county, as aforesaid: *Provided*, that the said company shall, within ninety days from and after the passage of this act, cause to be placed on file in the office of the circuit clerk of the county of Kane, a certified copy of the original certificate of organization and all other papers now on file in the office of the circuit clerk of Cook county, relating or in any-wise appertaining to the organization of said company. Business resumed.

§ 3. Said company shall have the power and are hereby authorized to increase their capital stock to such an amount as the board of directors or trustees of said company may deem necessary to carry on their business, not exceeding the sum of two hundred thousand dollars. Increase of capital stock.

§ 4. Said company shall have the right and are hereby empowered to continue and enjoy their corporate powers and franchises for the further term of fifty years, from and after the passage of this act. Corporate powers.

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

APPROVED March 27, 1869.

AN ACT to change the name of the Butler Vinegar and Pickle Company. In force April 9, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the corporate name and title of the Butler Vinegar and Pickle Company, a corporation under the general laws of this state, be and the same is hereby changed to "The Chicago Pickle Company: *Provided, always*, that all rights, duties, liabilities, contracts and causes of action, existing to or from Name changed.

said corporation, shall stand and remain wholly unaffected by said change of corporate name and title.

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

APPROVED April 9, 1869.

MARKETS.

In force April
1, 1869.

AN ACT to incorporate the Galesburg City Market.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Francis Fuller, M. D. Cooke, E. P. Williams, John C. Stewart, Alfred Kitchell, J. B. Boggs, B. Lombard, jr., Charles B. Lawrence, A. S. Hoover and M. W. Gay and W. Seldon Gale, of the county of Knox, 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 Galesburg 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 Galesburg, in the said county of Knox, 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.

Name and style.

Corporate powers.

Aims and objects of the association.

§ 2. That the object and purpose of said corporation 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 Galesburg; 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 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.

Amount capital stock.

§ 3. That the capital stock of said corporation shall be ten thousand dollars, with power to increase the same, at

any time thereafter, to the further sum of fifty 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 time as the directors may limit.

§ 4. That the government of the Galesburg 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, and 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.

Management.

Board of directors.

§ 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.

Qualification of directors.

§ 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.

Quorum to do business.

§ 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 purpose and to carry into effect the provisions of this act and the well ordering and securing the affairs, business and interests of said company.

Rules for government.

§ 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.

Dividends, how and when declared.

§ 9. B. Lombard, jr., 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.

Open books for subscription.

Weights and
measures.

§ 10. The city of Galesburg 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.

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

APPROVED April 1, 1869.

MASONIC ASSOCIATIONS.

In force March
29, 1869.

AN ACT to incorporate the Chicago Masonic Temple Association.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Vincent L. Hurlbut, H. A. Johnson, Robert H. Foss, Gilbert Smith, E. B. Myers, and J. V. Z. Blaney, and their associates, are hereby made and constituted a body corporate and politic, by the name and style of "Chicago Masonic Temple Association," with perpetual succession, and with all the rights and powers and subject to all the liabilities of corporations.

May purchase,
hold and convey
real estate.

§ 2. The said corporation is hereby authorized to purchase, hold and occupy so much real estate as they shall deem necessary for the objects of said corporation, in the city of Chicago; and may erect thereon a masonic temple, which they may use and occupy for their halls, lodge and committee rooms and other masonic purposes, and may lease so much thereof as they may desire; and said corporation may sell or exchange the same, when the interest of said association shall demand.

Amount of
Capital stock.

§ 3. The capital stock of said corporation shall be three hundred thousand dollars, with power to increase the same to a sum not exceeding six hundred thousand dollars. The capital stock shall be divided into shares of fifty dollars each, and be deemed personal property, and be transferable, as such, on the books of the company, in the manner provided by the by-laws.

Management.

Board of di-
rectors.

§ 4. The corporate power of said corporation shall be exercised by a board of directors, to consist of not less than five stockholders; and such stockholders shall have power, from time to time, to determine the number of directors. Each share of stock shall entitle the holder thereof to one vote in the election of directors. The directors shall have power to make by-laws for the government of the associa-

Rules and reg-
ulations.

tion, its affairs, officers and property, and they shall be elected at the time fixed, by a vote of the stockholders, and shall hold their office for one year and until their successors are chosen and qualified. The by-laws of said association shall be consistent with the laws of this state.

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

APPROVED March 29, 1869.

AN ACT to incorporate Macon Lodge, No. 8, Ancient, Free and Accepted Masons, of the City of Decatur. In force March 31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Jerome R. Gorin, Samuel F. Greer, William L. Hammer, William T. Stamper, Isaac C. Pugh, Jasper J. Peddecord, James T. B. Stapp, Henry B. Durfee, Augustus A. Murray, Henry Bishop, Charles H. Fuller, Henry Schlandeman, Dewitt C. Shockley, Ebenezer McNabb, Michael F. Kanaw and Henry Prather, their associates and successors, are hereby declared a body corporate, by the name of "Macon Lodge, No. 8, of the City of Decatur;" and, by that name, shall have perpetual succession; and have power to contract and be contracted with, sue and be sued, plead and be impleaded, and in all courts and places; have a common seal, and alter the same at pleasure; and shall have power to make by-laws, not inconsistent with the laws of this state or of the United States.

§ 2. The capital stock of said company shall be fifty thousand dollars, to be divided into shares of twenty-five dollars each. The capital stock may be increased, in the discretion of said company, to any amount not exceeding one hundred thousand dollars.

§ 3. The corporate powers of said company shall be vested in seven directors, one of whom shall be president thereof, who shall hold their offices for one year and until others are appointed in their stead—any five of whom shall constitute a quorum for the transaction of business. Annual meetings shall be held by the members of the corporation, for the choice of directors and other business that may come before them, at such time and place in the city of Decatur as a majority of the directors shall appoint; and notice thereof shall be given in at least one of the papers printed in the city of Decatur, at least ten days previous to said meeting; and the first meeting shall be on the 15th day of April, A. D. 1869. The election shall be holden under the direction of five stockholders, who shall not be

Corporators.

Name and style.

Amount capital stock.

Directors to manage affairs.

Annual election of directors.

directors, to be appointed by the directors, except those at the first meeting aforesaid, who shall be appointed by the stockholders. The election shall be by ballot, by a plurality of stockholders present, allowing one vote for every share; and stockholders not present may vote by proxy.

Election of
president.

§ 4. The directors, so to be chosen, shall meet as soon as may be after such election and shall choose one of their body to be president, who shall preside for one year; and in case of death, resignation or inability to act of the president or any director, such vacancy or vacancies may be filled for the remainder of the year by the directors.

May hold and
convey real es-
tate.

§ 5. Said company may hold real estate, not exceeding in value one hundred thousand dollars, and lease and convey or mortgage the same; may borrow money and secure the same by bond or mortgage.

Stock shares
transferable.

§ 6. The stock of said company shall be assignable and transferable on the books of the corporation, only, or may be forfeited for non-payment of assessments, according to such rules as shall be adopted in that behalf by the by-laws and ordinances thereof.

Organization.

§ 7. Upon the organization of such company, as aforesaid, the directors shall cause certificates of stock to be issued to said corporators and other subscribers.

Stock subscrip-
tions.

§ 8. No certificates of stock shall be issued, except upon the express condition that the shares of stock mentioned in such certificate shall be called in and retired by said corporation at any time subsequent to the date of such certificate that such corporation shall elect: *Provided*, however, that six months notice shall be given to the holders of such stock of the intention of the corporation to retire the same. Should owners of stock neglect or refuse, after the expiration of said notice, to present the same to said corporation to be retired, said corporation shall not be liable to pay interest or dividend thereon after the expiration of such notice: *Provided*, such notice may be given in some newspaper published in the city of Decatur.

Non-payment,
penalty for.

Appointment of
officers.

§ 9. The directors may appoint a secretary, a treasurer and other officers, who shall hold their offices for the term of one year and until their successors are appointed. The treasurer shall be required to give bond and security for the faithful discharge of the duties of his office, to be approved by the directors.

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

APPROVED March 31, 1869.

AN ACT to incorporate the Masonic Association of Ottawa.

In force March
26, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William S. Easton, John F. Nash, Henry F. Clark, George J. Burgess, Francis L. Fisk, Thomas J. Wade, Robert McArthur, Robert Henning, William S. Gibson, and their associates and successors, be and the same are hereby created a body corporate, by the name and style of "The Masonic Association of Ottawa;" and, by that name, shall have perpetual succession, and sue and be sued, plead and be impleaded; may make all needful rules and regulations and by-laws for the government of the said company and the control of its property, fix the amount of the capital stock of said company, not exceeding the sum of one hundred thousand dollars, and appoint such officers and agents as it may deem necessary.

Corporators.

Name and style.

§ 2. Said company may receive by donation, buy, lease, mortgage, sell and convey real and personal estate, for the purpose only of constructing and maintaining a masonic temple in the city of Ottawa, in La Salle county, and may have and use a company seal.

May possess
real and person-
al estate.

§ 3. Said company shall consist of all persons who become stockholders therein; and in managing the affairs of said company each stockholder shall be entitled to one vote for each share owned by him, and shares shall not be less than twenty dollars; and Ottawa Commandary Number Ten, Shabbona Chapter Number Thirty-Seven, and Occidental Lodge Number Forty, and Humboldt Lodge Number Five Hundred Fifty-Five, may each, as a masonic order, become stockholders in said company. The stock of each of said orders shall be represented by one trustee, to be appointed by each of said orders.

Membership.

§ 4. Said company may organize when three thousand dollars is subscribed to the capital stock.

Organization.

§ 5. As soon as said company is organized, Samuel C. Walker, Julius Avery and William S. Easton, shall convey to it all real estate held in trust by them for any of said masonic orders; and each of said orders shall be considered subscribers to said stock for an amount equal to their several amounts advanced by them, respectively, for the purchase of such real estate.

Conveyance of
real estate held
under deed of
trust.

§ 6. In case either of said masonic orders cease to exist, the interest of said [order] in said company shall vest in and belong to said corporation, for the benefit of the same.

Interest.

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

APPROVED March 26, 1869.

In force March 10, 1869. AN ACT to incorporate the Masonic Temple Company of Rockford.

	SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Edward
Corporators.	H. Baker, Seymour G. Bronson, John Lake, Charles J. Horsman, Elisha A. Kirk, Joseph Burns, John Early and George M. Smith, and their successors, are hereby constituted
Name and style.	a body politic and corporate, under the name of "Masonic Temple Company," of the city of Rockford; and, by that name, said corporation shall continue in perpetual succession, and shall have the power and liabilities of contracts, suits and proceedings, like natural persons. It shall
Rules for government.	have a seal, to be determined or altered by the directors; and shall have full power to make any and all by-laws and rules for its government and carrying out the powers and right hereby conferred, which are not inconsistent with the laws of Illinois or of the United States.
Objects of the corporation.	§ 2. This corporation is created for the purpose of building in the middle of Rock river, in the city of Rockford, for the use and benefit of the several masonic societies of said city, and for such other purposes of religion, charity, education or amusement, as the directors may determine, not inconsistent with its masonic uses; and the capital stock of said company shall be fifty thousand dollars, to be divided into shares of twenty-five dollars each, with power to the directors of said company to increase said capital stock to one hundred thousand dollars, if necessary for the purposes herein expressed.
General powers.	§ 3. Said corporation shall have power, by its by-laws and rules, to determine the terms of subscription to its capital stock; to provide that in case of failure to pay installments upon stock, as called for, that the same shall be forfeited to said company: <i>Provided</i> , thirty days' notice of such forfeiture is published in some weekly or daily newspaper in Rockford, by not less than two successive issues of
May hold and convey real estate.	such paper; to purchase and hold real and personal estate, to the amount of its capital stock; to borrow money, to the amount of one-half its capital stock, at such legal rate of interest as it may determine, and to pledge, by mortgage or otherwise, any or all of its property and franchises therefor; and to sell, lease, and, generally, manage and dispose of any or all its property as natural persons may do; to erect the said building in the middle of Rock river, at such place as the directors may determine, and, for that purpose, may occupy not to exceed one hundred feet in width across the stream of said river and not more than two hundred feet in length up and down said stream, and in occupancy and use shall not obstruct the navigation of said stream beyond the said limits to be occupied, nor shall said company injure or endanger by such erection any public or private
Restrictions.	

structure or property in said city; and said use and occupancy shall be and continue subject to all laws of said city in regard to police health and public safety. Said company shall have power to construct, hold and use all necessary approaches to said building, and may enter into such terms with the said city, in relation thereto, as can be mutually agreed upon for that purpose. Said company shall have power to make rules and regulations, relating to the manner and time of using said building and its approaches, which shall not conflict with the laws of this state or of said city. In case said building, or any part thereof, shall not be needed or cannot advantageously be used for the purposes aforesaid, said company may make such other use thereof or disposal of the same as they shall deem for the best interest of the stockholders.

§ 4. The corporate powers of said association shall be vested in the eight above named corporators, as directors, until the first Monday in April, A.D. eighteen hundred and seventy, or until their successors are duly elected. On the first Monday in April, A.D. eighteen hundred and seventy, and each year thereafter, there shall be held an annual meeting of the stockholders of said company, two weeks' notice of which meeting shall be published in some public weekly or daily newspaper in Rockford, and a copy of such notice publicly posted in the office or business room of said company. At said annual meeting, each year, four directors shall be elected, by ballot—each share of stock counting one vote—to take the places of the four directors whose term of office shall then expire. At the said annual meeting in April, A.D. eighteen hundred and seventy, the said directors herein named shall determine, by lot, the four directors whose terms of office shall then expire, and ever thereafter directors shall hold their offices for two years or until their successors are elected. Whenever, from death, removal, resignation or inability to act, any director shall fail to discharge the duties of his office, the board of directors may declare his office vacant and fill the same, by ballot, provided two thirds of the other directors concur. The directors shall, annually, elect from their number a president secretary, and treasurer, for one year or until succeeded by another election. The board of directors may provide, by by-laws, resolutions and regulations, for such other officers as may be needed for the duties and responsibilities of all officers, for the mode, manner and effect of all transactions in regard to the acts of said company, its property and duties and liabilities, not inconsistent with public law. In the election of directors, stockholders may vote by proxy; but no person shall be eligible to the office of director who is not a citizen and freeholder of Rockford, a stockholder in said company, and a member in good standing of some regular master mason's lodge in said city.

Corporate powers, how vested.

Annual election for directors.

When vacancies occur, how filled.

Special regulations.

Stock deemed
personal prop-
erty and transfer-
able.

§ 5. The stock of said company shall be personal property and assignable as provided by the by laws of the company; and the certificates therefor shall be issued, as provided in the by-laws, but shall be signed by the president, secretary and treasurer and attested by the company seal; and no certificates of stock shall issue unless fully paid for; but certificates of subscription to stock may be issued, provided the same contain a true statement of the amount paid thereon and of the terms of payment and of forfeiture in case of non-payment; and no installment shall be deemed payable, for the purpose of forfeiture, which has not had the call therefor noticed for twenty days in some public newspaper in Rockford.

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

APPROVED March 10, 1869.

MINING COMPANIES—INCORPORATED.

In force April
13, 1869.

AN ACT to incorporate the Atlanta Coal and Mining Company.

Corporators.

Corporate name
and powers.

Privileges.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Anthony N. Dills, Augustus Reise, Alexander Downey, Benjamin Bean, Wm. P. Hunt and Benjamin F. Dalzell, of the town of Atlanta, county of Logan, and state of Illinois, 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 Atlanta Coal and Mining Company," with perpetual succession; with power to contract and be contracted with, sue and be sued, plead and be impleaded, in all courts of law and equity; to have a corporate seal, and alter the same at pleasure; to dig, bore, mine and excavate for coal, fire clay, rock oil, or other minerals or volatile substances, and to manufacture, sell and transport any or all products thereof and carry on business, with all other powers necessary and adequate to prosecute the same.

§ 2. The said company may receive, lease, buy and hold such real and personal estate, mining, excavating, building, boring rights or privileges, rights of way, land grants, donations, roads, railroads, and railways; build, buy, own, lease or rent railroad cars and trucks, with tracks connecting with other established railroads or wagon roads and railways, including the right of way, with power to con-

demn the lands over which said roads or ways, ditches or sewers, building or excavated materials, switches, side tracks, may be used or 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, or any other acts concerning the right of way heretofore enacted, above, on or below ground, that may be deemed necessary by them to the successful prosecution of their business, with power to sell, lease, rent or otherwise convey all or any part thereof.

§ 3. The said company may employ and appoint such Agents. agents as may be required by them, and define the powers and prescribe the duties of the same.

§ 4. The capital stock of said company shall be fifty Amount capital stock. thousand dollars, with power to increase the same to two hundred thousand dollars (\$200,000), 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.

§ 5. It shall be lawful for the directors to require payment of the sums subscribed to the capital stock at such times and in such proportions and on such conditions as they shall deem necessary, under the penalty of the forfeiture of part or all previous payments thereon as damages for such non-payment, and may sue for and recover all such subscriptions, ten (10) days' 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 or by mailing a notice thereof to each of said owners or subscribers, through the post office, to the last known address of said stockholders, owners or subscribers. Collection of subscriptions to be enforced.

§ 6. The affairs of said company shall be managed by Directors to manage affairs. a board of directors of six persons, who shall be stockholders in the same; they shall be elected by the stockholders of the company, each stockholder being allowed one vote, in person, or by proxy by writing duly acknowledged, for each one share owned or held. The first election shall take place when and after five thousand dollars of capital stock shall be subscribed; and the incorporators herein named shall be authorized commissioners to open books for the subscription of stock. The money or other real or personal property, leases, grants or any other books, papers, moneys, or credits, so held or received by said commissioners, shall be paid over to the directors, when elected. The Election for directors. directors shall be elected annually, and shall hold their office until their successors are elected and qualified; but a failure or omission to elect shall in no wise impair or affect the rights, powers or privileges of this act, or those holding

over, or the rights, powers, privileges or interests of the stockholders or other interests of the company. Said directors shall elect one of their number president, who shall perform such services and have such powers as usually devolve on an officer of that designation, or as shall be conferred on him by the by-laws of said company; they shall also elect a secretary and treasurer, to act for said company, and define their powers and duties, or the same shall be subject to the by-laws of said company. Any vacancy may be filled by a majority of the directors; and in the absence of the president one of the directors shall act as president *pro tem*. A majority of the directors present shall constitute a quorum to do business. The board of directors shall make and execute such by-laws as may be further necessary for their own government and a prosecution of the business of the company, not inconsistent with this act or the laws of this state or of the United States; and all the acts of the duly appointed agents and officers of the company, done and performed under authority of the by-laws, shall be binding on the company.

§ 7. Said corporation shall have power to borrow, loan or hire money, to issue shares, bonds, notes or other evidences of indebtedness, to bear interest not exceeding ten per cent.

§ 8. After the election of said directors, as afore mentioned, a company may commence its business in the full enjoyment of the rights and privileges of this act, at such place or places, within or near the town of Atlanta, Illinois, as the directors may direct.

§ 9. All acts heretofore done or performed by the said corporation herein named, in boring, in search for coal, oil or other minerals, are legalized, and whatever sums have been paid to this company by any person, to that end, shall go as a credit on whatever amount may be subscribed by said party for stock in said company.

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

APPROVED April 13, 1869.

In force March 4, 1869. AN ACT to incorporate the Chester and Tamaroa Coal and Railroad Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Andrew J. Bryden, H. E. Hostord, De Witt C. Barber, Thomas M. Sams, William K. Murphy, Joel M. Sullivan, R. M. Davis, John H. Barber, Zebidee P. Curlee, Joseph B. Holmes

and John M. McCutchen, and their associates, successors and assigns, be and they are hereby created a body politic and corporate, under the name and style of "The Chester and Tamaroa Coal and 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; 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 power, privileges and immunities which are or may be necessary to engage in mining, and to construct, complete and operate a railroad, with single or double track, commencing at Chester, in Randolph county, Illinois; thence running easterly, on the most eligible route, *via* Pinckneyville, in Henry county, Illinois, to Tamaroa, in said Perry county; and for this purpose, said company are authorized to lay out their said railroad, not exceeding one hundred feet in width, through the whole length; and for the purpose of cuttings, embankments, stone or gravel, may take as much more land as may be necessary for the proper construction and security of said railroad, and shall have power to extend the same to and connect with or cross over any other railroad within the state of Illinois; and may make such lateral or branch road or roads to any coal lands belonging to said company as they may deem necessary for the successful prosecution of their business; and said company may enter upon and take possession of so much land as may be necessary for the construction and maintenance of the said railroad and branches, depots, side tracks, water stations, engine houses, machine shops and other buildings and appendages, necessary to the construction and working of said road; and in case said land be not donated to said company, for such purpose, it shall be lawful for said company to proceed to condemn said land, as provided by the laws of the state concerning right of way.

Corporate name and powers.

Construction of railroad.

Private property may be taken.

§ 2. The said corporation may take and transport upon said railroad any person or persons, merchandise or other property, and may fix, establish, take and receive such rates of toll for any passenger and property transported upon the same as the directors shall from time to time establish, subject to such limitations and restrictions as are or may be provided by general law.

Rates of fare.

§ 3. The said corporation is hereby vested with power to purchase, hold and convey real and personal estate; to give and receive promissory notes; to enter into and carry on all kinds of mechanical and manufacturing business; to erect mills, furnaces, foundries, factories and machine shops, for the manufacture of flour, lumber, iron, castings, machinery, farming utensils, and any other kind or description of article not forbidden by law; and may erect and build marine

May hold and convey real property.

ways or dry docks, and use the same for the purposes of repairing and building boats, barges, or any other description of water craft; may buy, build and own boats, barges or other vessels, and navigate the same, for the transportation of their coal, manufactures or for other purposes.

Amount of
capital stock.

§ 4. The capital stock of said corporation shall be one million dollars, which may be increased to any sum not exceeding five million dollars, to be divided into shares of one hundred dollars each, which is hereby declared personal property, and transferable on the books of the company in such manner as shall be prescribed by the by-laws of said corporation.

May borrow
money.

§ 5. It shall be lawful for said company, from time to time, to borrow such sum or sums of money as may be necessary for completing and operating said railroad, or for conducting their mining or manufacturing business, and to issue and dispose of their bonds, in denominations of not less than one hundred dollars, bearing a rate of interest not exceeding ten per cent. per annum, for any amount so borrowed, and mortgage the real and personal estate of said corporation, or to convey the same by deed of trust, to secure the payment of any debt contracted by said company for the purposes aforesaid.

Conveyances.

§ 6. In the sale or mortgaging of the real or personal estate of said corporation, the conveyances shall be signed by the president and countersigned by the secretary, under the seal of the corporation, and be acknowledged in the same manner as is provided by law for the acknowledging of deeds.

Management.

Board of directors.

§ 7. The affairs of said company shall be managed by a board of eleven directors, which may be increased to any number not exceeding thirteen, a majority of whom shall constitute a quorum to do business; and Andrew J. Bryden, H. E. Hosford, De Witt C. Barber, Thomas M. Sams, William K. Murphy, Joel M. Sullivan, R. M. Davis, John H. Barber, Zebidee P. Curlee, Joseph B. Holmes and John M. McCutchen, 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 thereto.

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

APPROVED March 4, 1869.

AN ACT to incorporate the Equality Coal Company.

In force March
9, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Joseph I. Castles, Broughton Temple, Isaac N. Ross, and their associates, successors and assigns, be and they are hereby created a body politic and corporate, under the name and style of "Equality Coal Company," with power to contract and be contracted with, to sue and be sued, in all courts and places; to organize such company by the appointment of a president and such other officers as they may deem necessary; to have a corporate seal, and alter and renew the same; to make such by-laws, rules and regulations as they may deem necessary, from time to time, for the government, management and prosecution of the business of said company, not inconsistent with the laws of this state or of the United States; to bore and mine for coal, iron, lead, salt, limestone, clay and other minerals, and to manufacture, transport and sell the products thereof, and to erect such mills, founderies, furnaces, kilns, factories and other buildings as they may deem necessary, and with all other powers necessary and adequate to the prosecution of the business of said company.*

Corporators.

Name and style.

Corporate powers.

§ 2. The said company may receive, hold and purchase such real estate, mining rights and rights of way, in Saline and Gallatin counties, in the state of Illinois, as may be deemed necessary for the successful prosecution of its business; and it may sell and dispose of all or any of its property, real or personal, and execute contracts and conveyances therefor to the purchasers.

May hold and convey real estate.

§ 3. The said company shall have power to lay out and construct such wagonways, plankroads and railroads and appurtenances thereto, from any of its lands, in Gallatin or Saline counties, in this state, to the Saline river, and to connect with any railroads hereafter constructed in said counties, for the purpose of hauling their coal and other products to the said Saline river or any railroad in said counties.

Construction of plank roads.

§ 4. And the said company shall have power to construct landings, docks, wharves and piers on the Ohio and Saline rivers, adjoining lands owned or occupied by it: *Provided*, such improvements shall not obstruct the navigation of said rivers.

Wharves, etc.

§ 5. The company shall have power to employ and appoint such agents as may be required in its business, and define and prescribe their powers and duties.

Agents.

§ 6. The capital stock of said company shall be one hundred thousand dollars, divided into shares of one hundred dollars each, with power in the board of directors to increase the same, from time to time, to any sum not exceeding five hundred thousand dollars.

Amount of capital stock.

May borrow
money.

§ 7. The said company may borrow such amounts of money and on such terms as it may deem proper, and may secure the same by bond and mortgage or otherwise.

Manner of doing
business.

§ 8. The said company shall confine its mining and manufacturing operations to said Saline and Gallatin counties, and its chief office shall be at the town of Equality, in said Gallatin county.

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

APPROVED March 9, 1869.

In force April
15, 1869.

AN ACT to incorporate the Fairfield Coal and Mining Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Major W. Collins, John D. Cope, Adam Rinard, Joseph J. R. Turney, Jacob B. Borah, Charles A. Beecher and Joseph T. Flemming, and their associates and their successors, and all such persons as shall become stockholders in this company, are hereby created and shall be a body politic and corporate, under the name and style of "The Fairfield Coal and Mining Company," of Fairfield, 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 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 and valuable substances, and manufacture, sell and transfer the products thereof, and to carry on the cooperage 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 town of Fairfield, Illinois, with branch offices in any part of the state, where deemed advisable by said company.

Name and style.

Corporate powers.

May hold and
receive real estate.

§ 2. The said company may lease, rent, buy and hold such real [estate] and personal estate, mining and boring rights and rights of way, as may be deemed reasonably necessary 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.

Amount capital
stock.

§ 4. The capital stock of said company shall be ten thousand dollars, with power to increase the same to any sum not exceeding two 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, and shall be transferable on the books of said

company in such manner as its by-laws may prescribe; to determine the par value of the shares; to pay the stock of said corporation for such mining rights and interest in real estate as may be reasonably necessary to purchase for the operations of the company.

§ 5. 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. Organization.

§ 6. The said company is and shall be permitted to negotiate a loan or loans of money, at such interest as they may deem proper, not exceeding ten per cent. per annum, and pledge or mortgage all their property, real and personal, and all rights and franchises, for the payment of the same. May borrow money.

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

IN FORCE April 15, 1869.

I, EDWARD RUMMEL, Secretary of State, do hereby certify that the foregoing act of the Twenty-sixth General Assembly of the State of Illinois was filed in the office of the Secretary of State, April 15, 1869, without the signature of the Governor, but, by virtue of Section 21, Article IV, of the Constitution of this State, the same is now declared a law, having been retained over ten days by the Governor after its reception.

EDWARD RUMMEL, *Sec'y of State.*

AN ACT to incorporate the Geneseo Mining and Manufacturing Company. In force April 13, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Henry Ainsworth, Jonathan Allen, Stephen J. Hunn, Solon Kindall, Robt. D. Boice, W. Sanford and George W. Goshorn, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name and style of "The Geneseo 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, coke and all kinds of mechanical and manufacturing business, by mills, furnaces, founderies, factories, machine shops, shafts, pits and other means and structures, for mining and manufacturing and making any and all kinds 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 agent, not prohibited by law. Corporators.
Name and style.
Corporate powers.

May hold and convey real estate.

§ 2. The said company may receive, purchase and hold any real estate; leasehold 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 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, from their mines and mills in Geneseo, Henry county, to such points or places as they may deem expedient; and to draw, indorse and accept bills of exchange, promissory notes or bonds in the prosecution of their business.

General powers.

Amount capital stock.

§ 3. The capital stock of this company shall be one hundred thousand dollars, divided into shares of fifty dollars each, with power, to [by] vote of the stockholders, at any meeting duly called, to increase the said capital stock to any amount not exceeding three hundred thousand dollars.

Construction of railroads, etc.

§ 4. The company shall have power to construct railroads from their coal mines and mills to any part of the county of Henry, and to connect with any of the lines of railroads now being operated or that may hereafter be operated in said county of Henry, that they may deem proper for making market for their products and obtaining necessary supplies, and for no other purpose. The right of way for said roads may be obtained by purchase, gift or grant; and in case they cannot be so obtained, they may be obtained in the mode prescribed by law, now in force or that may hereafter be enacted for condemning the right of way.

Open books for subscription.

§ 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 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.

Organization.

Notice by publication.

§ 6. When the said sum of five thousand dollars shall have been so subscribed to the capital stock of said com-

pany, and forty per cent. paid in, the said corporators, or a majority of them, shall forthwith give notice, by publication in some newspaper in the city of Geneseo, 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 arrangement of the business affairs of said company and its officers and agents, not inconsistent to the constitution of the state of Illinois or of the United States. An election shall be held annually for the election of president and directors of said company, upon such notice as the president and directors may prescribe. The office of said company shall be at Geneseo.

§ 7. The president and directors shall issue certificates of stock to the owner 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. Certificate of stock issued.

§ 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 estate and personal property of said company or otherwise. May borrow money.

§ 9. 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 determine, under the penalty of forfeiting all previous payment 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 city of Geneseo; 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. Stock subscriptions.

§ 10. This act shall be a public act, and take effect from and after its passage. Time of payment.

APPROVED April 13, 1869.

In force June
19, 1899.

AN ACT to incorporate the Illinois Iron and Coal Company.

Corporators.	SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Green B. Raum, John W. Mitchell and Ambrose E. Burnside, their associates, successors and assigns, are hereby created a body corporate and politic, with perpetual succession, by
Name and style.	the name and style of "The Illinois Iron and Coal Company;" and, by that name, may contract and be contracted
Corporate powers.	with, sue and be sued, plead and be impleaded, in any court in this or any other state or country; and may have and use a common seal, and alter the same at pleasure. And said company shall have power to take, by gift or purchase, any real or personal property, and hold, lease, sell or mortgage the same: <i>Provided</i> , said company shall not hold for a longer period than ten years any land not reasonably necessary for the transaction of the ordinary business of said company; to mine for iron, coal or other minerals or metals; to erect furnaces, rolling mills, machine shops and other buildings, necessary and proper for the manufacture of railroad or other iron, or for the manufacture of engines, locomotives, cars or other machinery, including agricultural or mechanical implements; to borrow money upon the credit of said company, and to issue bonds or other evidences of indebtedness; to authorize the holders of any bonds or other indebtedness of said company to convert the same into the stock of said company; to contract with any individual or corporation, in this or any other state or country, for the purchase or sale of any iron, coal, cars, engines, locomotives, machinery or other article or thing, or for the delivery of the same in this or any other state or country; to contract, in whole or in part, for the equipment of any railroad or for the repairs or construction of the same; to employ all the necessary engineers, mechanics, clerks, agents and laborers for carrying on its business. And said company shall have power to do and perform all other things necessary and proper for carrying on its business.
Objects of the corporation.	
Amount capital stock	§ 2. <i>Be it further enacted</i> , that the capital stock of said company shall be two hundred thousand dollars, to be divided into shares of one hundred dollars each, which shall be deemed personal property, and may be issued, certified and registered in such manner as may be provided by the board of directors, who shall have power to open or cause to be opened books for the subscription of stock, at any time or place, and 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 remains after deducting the payment due, with interest and necessary costs of sale, the same shall be paid to the delinquent stockholder. Each share of stock, upon which there are no unpaid calls, shall entitle the owner thereof to one vote, in person or by legal proxy.

§ 3. *Be it further enacted*, that the corporators named shall constitute the first board of directors, and shall hold their offices until their successors are elected and qualified. There shall be an election of directors on the first Wednesday of February of each year, or as soon thereafter as may be convenient. The stockholders may, at any regular meeting or at a meeting called for those purposes, fix the number of directors at any number not exceeding thirteen, and may increase the capital stock to such amount as may seem to them expedient. The directors shall elect one of their number president, and shall have power to appoint a secretary and treasurer, and such other officers as may be deemed necessary and proper for the transaction of the business of the company.

First board of directors.

Officers.

§ 4. *And be it further enacted*, that the office of said company shall be at Cairo, in Alexander county, Illinois; but the company shall have power to open an office, for the convenient transaction of its business, at any other place in this or any other state or country.

Location of office.

APPROVED March 9, 1869.

AN ACT to incorporate the Kickapoo Coal and Transportation Company. In force April 13, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That William J. Phelps, A. H. Castle, James Lee, William E. Phelps, and their associates, successors and assigns, be and they are hereby constituted a body corporate and politic, by the name and style of "The Kickapoo Coal and Transportation Company," with perpetual succession, with power to contract and be contracted with, sue and be sued, plead and be impleaded, in that name, in all courts of law or equity and in all places whatsoever; to have a common seal, and alter, break or renew the same at pleasure; to engage in the mining of coal, iron, salt and other minerals, and in boring for coal oil and in the manufacture and sale of coke, salt, iron, lime and other products of land now owned or hereafter to be owned or leased by them, in the counties of Peoria, Fulton, Knox and Stark, and in the transportation of the

Corporators.

Name and style.

Corporate powers.

Objects of the corporation.

Right of way.

same or any of them to home or foreign markets; to connect their works with the Illinois river or with any railroad or railroads, now built or which may hereafter be constructed, in the said counties of Peoria, Fulton, Knox and Stark: *Provided*, that said company shall not own or operate to exceed ten miles in length of such railroad; and that said company shall receive and transport, as common carriers, all freight which may be offered to it for transportation on the line of its railroad, at fair and equitable rates; and that said company shall, as such common carriers, transport wood, coal and other fuel, at and for the same rates as other freights of a similar class or character. Said company is authorized and empowered to condemn the right of way for such railroad under and in the manner set forth in an act entitled "An act to amend the law condemning the right of way for purposes of internal improvement," approved June 22d, 1852, and the acts amendatory thereof. Said company is authorized and empowered to establish their offices and hold their meetings at such places as the corporators shall determine; to purchase, hold, transfer, lease and convey any real estate and mining rights; and to have all powers needful for the successful prosecution of their business and for the execution of the powers herein granted.

Organization.

§ 2. That the corporators, 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, from time to time, for the government and management of said company, and alter, change, amend and repeal the same at pleasure: *Provided*, that nothing shall be done inconsistent with the constitution or laws of this state or of the United States.

Amount of capital stock.

§ 3. The capital stock shall not exceed five hundred thousand dollars, to be subscribed and paid for in such manner as the corporators may direct.

§ 4. It shall be lawful for the president and managers of said company to borrow money, from time to time, at any rate of interest not exceeding ten per cent., and issue the bonds of the company therefor, payable at such time as they may stipulate, and secured by mortgage on any or all the property belonging to the said corporation.

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

APPROVED April 13, 1869.

AN ACT to incorporate the Lincoln Coal Company.

In force when
adopted by
legal voters
Preamble.

WHEREAS James Coddington, Ambrose M. Miller, Samuel P. Hodgen, David T. Littler, James Congdon, Frank Frorer and Silas Beason have heretofore organized themselves into a company, under the provisions of an act of the general assembly of the state of Illinois, approved February 18, 1857, entitled "An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes," under the name and style of "The Lincoln Coal Company," for the purpose of boring for and mining coal and other minerals; and

WHEREAS various parties have subscribed to the capital stock of said company, and said company, under said organization, have purchased and leased certain lands in Logan county, Illinois, and have commenced sinking a shaft for mining coal thereon; and

WHEREAS the stockholders of said company did, on the ninth day of December, A.D. 1868, elect the following named persons directors of said company, viz: William P. Bates, James Coddington, Ambrose M. Miller, Frank Frorer, William M. Dustin, James Braucher and Silas Beason: therefore, for the purpose of enabling said Lincoln Coal Company to successfully carry on their business,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* said William P. Bates, James Coddington, Ambrose M. Miller, Frank Frorer, William M. Dustin, James Braucher and Silas Beason, and their associates, successors and assigns, and all such persons as are now stockholders in said Lincoln Coal Company, and all such persons as may hereafter become stockholders in the company hereby created, shall be and are a body corporate and politic, under the name and style of "The Lincoln Coal 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 and other minerals; with full power to mine, dig, bore or otherwise obtain coal or other minerals, by any process or mode they may deem advisable, within the corporate limits of the city of Lincoln, Logan county, and state of Illinois, or within one mile of the limits of said city of Lincoln; to engage in the manufacture of fire-brick, coke and other products of lands now owned, leased or occupied by said company, or hereafter to be owned, leased or occupied by said company, and in the transportation of the same, or any of them, to home and foreign markets.

Corporators.

Name and style.

Corporate powers.

Objects of the corporation.

Property vested
in corporation.

§ 2. All the property, both real, personal and mixed, rights, choses in action, judgments, liens, and all other claims and demands, of what kind or nature soever, whether in law or equity, belonging to or vested in said Lincoln Coal Company, organized as aforesaid, are hereby vested in the corporation hereby created; and all debts and liabilities, of what kind or nature soever, of said Lincoln Coal Company, organized as aforesaid, shall be assumed and paid by the corporation hereby created, and shall be liable to be sued for the same, in all courts and places; and it is hereby expressly provided, that none of the rights of any of the stockholders owning stock in said Lincoln Coal Company, organized as aforesaid, shall be affected or in any way impaired by the passage hereof; and all purchases and leasing of real estate, and issuing of certificates of stock to stockholders, by the directors of said Lincoln Coal Company, organized as aforesaid, are hereby approved and confirmed.

Powers and pri-
vileges.

§ 3. 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, brick, coke or other minerals, for home and foreign markets, as may be deemed necessary, by said company hereby created, to the successful prosecution of their business, and the execution of the powers herein granted; and may build and own 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 and personal property in payment of stock; and shall have power to make and open such wagon ways and railways, and appurtenances thereto, to such points as they may deem expedient, upon the land owned by said company, and to connect their said roads with any railroad or thoroughfare in Logan county; and to draw, indorse and accept bills of exchange, promissory notes or bonds, in the prosecution of their business.

Amount of
capital stock.

§ 4. The capital stock of said company shall be fifty thousand dollars, but may be increased, in the discretion of said directors, to any sum not exceeding five hundred thousand dollars, and may be divided into shares of any size by the directors of said company.

Vote of the
stockholders.

§ 5. At all elections under the provisions hereof, by the stockholders of said company, each stockholder shall be entitled to one vote for each share of stock owned by him, her or them, and may vote either in person or by proxy.

To establish
by-laws and
regulations.

§ 6. The directors elected under the provisions hereof shall have power to make all such rules, by-laws 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.

§ 7. On the ninth day of December, A.D. 1869, and on the ninth day of December in each and every year thereafter, the stockholders of the corporation hereby created shall elect, by ballot, not less than three nor more than seven directors, who shall manage the business affairs of said company; but no person shall be a director unless he be a stockholder, and resident of said Logan county; and said directors shall choose one of their number, who shall be president of said company. The other officers of said company shall be a secretary and treasurer, and such other officers as said directors shall, by order, resolution or their by-laws, direct.

Annual election
of directors.

Officers chosen.

§ 8. The corporators herein named shall be the directors of the corporation hereby created until the ninth day of December, A.D. 1869, and until their successors have been duly elected and qualified, under the provisions hereof.

Term of office.

§ 9. All stockholders in said Lincoln Coal Company, organized as aforesaid, shall be stockholders in the corporation hereby created, to the amount of shares they or any of them may have in said Lincoln Coal Company.

Validity of
shares of stock.

§ 10. Said company shall have power to receive subscriptions to the capital stock of said company, in such manner as the board of directors may direct, and shall also have power to issue certificates of stock, in such manner and in such form as said directors may direct; and certificates of stock may be assignable, but only on the books of the corporation.

Certificates of
stock.

§ 11. It shall be lawful for said company to borrow, or obtain on loans, 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 mortgage or bond on the realty or personalty of the company, or otherwise.

May borrow
money.

§ 12. The stock of said company shall be considered personal property; and said directors shall have power, upon giving twenty days' notice, to forfeit the stock of those who shall be in arrears on their stock—said notice to be served on the person whose stock is to be forfeited, by the secretary, in person, or by addressing a note to him through the mail.

May forfeit
stock.

§ 13. An election shall be held by the directors of said Lincoln Coal Company, within six months after the passage of this act, for the adoption or rejection of this charter; at which election the stockholders shall be permitted to vote for or against its adoption, by inserting on the ticket voted, "For charter," or "Against charter;" and if a majority of the votes cast shall be "Against charter," then this act and everything therein contained shall be absolutely null and void; but if a majority of votes shall be cast "For charter," then this act shall become in full force and effect,

Act submitted
to legal voters.

from and after its adoption, as aforesaid. The secretary of said Lincoln Coal Company shall give at least ten days' notice of the time and place of such election, by publishing a notice thereof in some newspaper published in the city of Lincoln; and said secretary shall give a like notice of all elections by the stockholders held under the provisions hereof.

Act valid.

§ 14. This act shall be deemed a public act, and received as such in all courts and places.

APPROVED March 9, 1869.

In force April 13, 1869. AN ACT to incorporate the Marion Mining and Transportation Company.

Corporators.

Name and style.

Corporate powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That James E. Abbott, Benjamin C. Coblenz, Christopher C. Teats, Herman Thiele, James M. Pratt, Manson Robbins and James M. Wallace, their associates, successors and assigns, be and they are hereby created a body politic and corporate, under the name and style of the "The Marion Mining and Transportation Company; and, by that name, they shall be and are made capable, in law and equity, to sue and be sued, plead and be impleaded, defend and be defended, in any court and place in this state and elsewhere; and are hereby empowered to have and use a common seal, to alter and renew the same at pleasure; to contract and be contracted with; to make and ordain all necessary rules, regulations and by-laws, not inconsistent with the laws of this state or of the United States, to more effectually carry out the purposes of this act; and may change and alter the same at pleasure; and shall be, and are hereby invested with all the powers, privileges, immunities and franchises, including the right to acquire and hold real estate, by purchase or otherwise, and sell and convey the same at pleasure; to mine, transport and sell coal, iron and other minerals, the products of the lands now owned, leased or occupied by them, their successors and assigns.

May purchase real estate.

§ 2. Said company may receive, purchase and hold, in fee or otherwise, real estate, mining rights and claims, right of way, for the purpose of mining, preparing for sale and transportation of coal, iron, lime, slate, stone, coal oil and other mineral products of their said mines and lands; and may build and own boats, trucks, houses, sheds and other personal property, for carrying on their said business; and shall have full power and authority to construct wagon and railways, not exceeding fifteen miles in length,

from the mines of said company to any river or railroad, for the purpose of transporting and shipping to market the products of the mines of said company: *Provided*, rights of way therefor be first had and obtained in accordance with the provisions of "An act for condemning rights of way for purposes of internal improvement," approved June 22d, 1852, and the acts amendatory thereof.

§ 3. Said company is empowered to employ such agents, in the prosecution of its business, as it may deem necessary, and define the powers of the same. Agents' duties.

§ 4. The capital stock of said company shall be one hundred thousand dollars, divided into shares of one hundred dollars each, but may be increased, by a vote of the board of directors of said company, to any sum not exceeding five hundred thousand dollars. Capital stock.

§ 5. The principal office of said company shall be at the city of Sterling, in the county of Whiteside; but said company is hereby fully empowered to have an office or offices at its mines, for the transaction of the business connected therewith. Location of office.

§ 6. The above named incorporators, or a majority thereof, are hereby constituted commissioners and empowered to open books of subscription to the capital stock of said company, at said city of Sterling, having first given thirty days' notice thereof, by publication in a newspaper printed in said city; and whenever the sum of fifteen thousand dollars shall have been subscribed to said capital stock, said subscribers may proceed to elect a board of directors, in whom shall vest the control and management of the business of said corporation. Said board of directors are hereby fully empowered to elect a president, secretary and treasurer, and such other officers and agents as they may deem necessary, to fully carry out the object and purposes of this act: *Provided*, said board shall at no time exceed seven in number. Open books for subscription.
Election of directors.
Management.

§ 7. Said company is further empowered to borrow money, not exceeding one-half of the amount of their capital stock, and, for that purpose, may issue the bonds of said company, bearing interest at a rate not to exceed ten per cent. per annum, with coupons, representing such interest, properly attached thereto; and for the purpose of securing the payment of said bonds and coupons thereto attached, the president and secretary, under the corporate seal thereof, may make, execute and deliver, in the name of said company, mortgages upon its lands, rights, privileges, franchises and property, for such time and upon such terms as may be determined upon by the board of directors of said company. May borrow money.

§ 8. Said company shall receive and transport, as common carriers, all freight that may be offered to it for Rates of fare.

transportation on the line of its railroad, constructed in pursuance of the provisions of this act, at fair and equitable rates, and that said company, as such common carriers, shall transport wood and coal and other fuel, at and for the same rates as other freights of similar class and character.

Powers.

§ 9. Said company shall have power, under the provisions of this act, to carry on and prosecute their said business, in pursuance hereof, in the counties of Henry and Mercer only.

§ 10. The act shall be deemed and taken as a public act, and shall be in full force from and after its passage.

APPROVED April 13, 1869.

IN force April 13, 1869. AN ACT to incorporate the Moline Coal Mining and Transportation Company.

incorporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Stillman W. Wheelock, J. S. Keater and Daniel L. Wheelock, of the city of Moline, in the county of Rock Island, and all such persons as shall hereafter become or be stockholders in the company hereby incorporated, are hereby created a body corporate and politic, under the name and style of "Moline Coal Mining and Transportation Company;" and, by that name, shall 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 all courts and places; to make, have and use a common seal, and to renew or alter the same at pleasure; to contract and be contracted with; to lease, purchase and hold real estate, and to sell and dispose of the same, when no longer needed for mining purposes; to mine, sell and transport to market coal and other minerals; to locate, construct, use and operate a railroad, with single or double track, from their mines, to connect with any railroad now constructed or hereafter to be constructed within the county of Rock Island, not to exceed ten miles in length, or to contract with any railroad company having a railroad within the county of Rock Island to construct a branch road to the mines of this company, for said company; and in case the Moline Coal Mining Company shall be unable, by purchase or voluntary cession, to acquire the right of way upon which to construct such railroad or branch railroad, then said Moline Coal Mining Company or the railroad company who constructs such branch railroad are hereby empowered to take, condemn and use a strip of land, not exceeding one hundred feet wide, upon which to locate

Corporate name and powers.

Right of way.

and construct said railroad or branch railroad, under the provisions of "An act for condemning right of way, &c., for purposes of internal improvement," approved June 22, 1852, or under any other of the laws of this state that may be in force authorizing the appropriation of lands or right of way for such purposes; and the right of way and other real estate purchased by said company or condemned under the laws of this state, shall be held by them in fee simple; and if it shall be necessary, for the construction of such railroad or branch railroad, to intersect or cross the track of any other railroad or any public road, street, lane or highway, it shall be lawful for said company or for such railroad company as shall build said railroad, to construct said railroad or branch railroad across the same, respectively: *Provided*, that the party constructing said railroad or branch railroad shall restore the same, respectively, thus intersected or crossed, to their former state, or in such manner as not materially to impair their usefulness. Said company shall, as common carriers, receive and transport all freight which may be offered to it for transportation on the line of its said railroad, at fair and equitable rates, and shall receive and transport wood, coal and other fuel at and for the same rates as other freight of a similar character.

§ 2. The capital stock of said company shall be one million of dollars, and be divided into shares of one hundred dollars, which may be subscribed to, paid for and transferred in such manner as the board of directors, by resolution or by-laws, shall direct; and the stock of said company shall be deemed and held as personal property. The board of directors of said company shall consist of not less than three nor more than seven stockholders, who shall be elected, annually, at such time and place as may be established by the by-laws of said company; but until the first election of directors shall take place the said Stillman W. Wheelock, J. S. Keater and Daniel L. Wheelock shall constitute the board of directors of said company. When fifty thousand dollars of the stock of said company shall have been subscribed for and not less than ten dollars paid in upon each share so subscribed for, the company shall be organized.

Amount capita
stock.

Annual election
of directors.

§ 3. The board of directors shall elect one of their number president and another secretary of said company, whose duties shall be those usually performed by such officers, and such other duties as may be prescribed by the by-laws of the company or by resolution of the board of directors, and they shall receive such salaries or compensation for their services as the board of directors may, from time to time, direct. The said company may appoint a treasurer and employ such agents and servants as shall be necessary to carry on the business of the company. The said company may borrow money and mortgage its prop-

Election of
officers.

erty and franchises to secure the same, to an amount not exceeding their capital stock actually paid in.

Who entitled
to vote.

§ 4. At all elections for directors, each stockholder shall be entitled to one vote for every share of stock held by him, which shall be cast by the party holding the stock, or by proxy duly appointed subsequent to the last election of directors. The directors elected by the stockholders shall hold their offices for one year and until their successors shall be elected and qualified; and a failure to elect a board of directors, at such time and place as shall be prescribed by the by-laws, shall not work a forfeiture of this charter, but the old board shall continue to perform the duties of directors until an election shall be held and their successors chosen.

Rules for gov-
ernment.

§ 5. The board of directors shall, from time to time, make and adopt such by-laws, rules and regulations as shall be necessary to carry out the objects of this act.

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

APPROVED April 13, 1869.

In force March
25, 1869.

AN ACT to incorporate the Niantic Coal 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. C. Overholt, D. J. Overholt, F. M. Malone, J. W. Corbett, J. C. McQuigg, their associates, successors and assigns, are hereby made and constituted a body corporate and politic, by the name and style of "The Niantic Coal Mining Company;" and, as such, 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 and hold, lease and occupy so much real estate as they may deem necessary for the purposes of the said corporation.

Amount of cap-
ital stock.

§ 2. The capital stock of said company shall be twenty-five thousand dollars, to be divided into shares of one hundred dollars each, to be deemed personal property, and, as such, transferable on the books of the corporation, 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 to exceed one hundred thousand dollars in the aggregate. Each share shall entitle the holder to one vote.

§ 3. The corporate powers of said company shall be exercised by a board of directors, not to be more than five nor less than three in number, who shall be elected at such time and in such manner as the by-laws shall determine. The directors shall choose from their number a president, vice president, secretary and treasurer, whose duties shall be regulated by the by-laws.

Corporate powers.

Directors.

§ 4. The said company is hereby authorized to engage in coal mining, and trading and selling coal, in such manner as they may prescribe in by-laws.

Objects of the corporation.

§ 5. When five per cent. of the capital shall be paid in, the company shall be deemed organized. The balance of the capital stock shall be paid in in such installments and at such times as shall be determined by the directors. And the said company may, by its by-laws, impose fines and penalties on stockholders or declare forfeited their shares of stock for failure to pay the installments on the same as they shall become due.

Organization.

§ 6. The stockholders shall only be liable to the extent of the full amount of stock held.

Liability of stockholders.

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

APPROVED March 25, 1869.

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AN ACT to incorporate the O'Fallon Coal and Mining Company.

In force March 15, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Eli J. Crandall, Martin W. Willis, Thomas D. Price, C. W. A. Cartlidge and A. E. Savage, and their associates, successors, heirs and assigns, are hereby created a body politic and corporate, under the name of "The O'Fallon Coal and Mining Company;" and, by that name, 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 and use, alter and change a common seal, and the power to renew at pleasure. Said company is hereby vested with all the powers, privileges and immunities which are or may be necessary to carry into effect the purposes of this act, hereinafter set forth, and to exercise the rights and privileges of natural persons.*

Corporators.

Corporate name and powers.

§ 2. Said company shall have the right to dig, bore, mine for coal, iron and other minerals, and to manufacture, sell and transport the same and the products thereof;

Objects of the corporation.

and to use and exercise all other powers which it may deem necessary and adequate to carry into effect the objects of said corporation. Said company shall confine its operations to Adams county, in the state of Illinois.

Amount of capital stock. § 3. The capital stock of said company shall be one hundred thousand dollars, with power to increase the same to a sum not exceeding five hundred thousand dollars, to be divided into shares of such an amount, and to be subscribed and paid for as the directors of the company may determine—said shares to be transferable on the books of the company in the manner prescribed by its by-laws. Said company may lease, buy and hold such real estate, personal property, mining and boring rights and rights of way, as it may deem necessary for the successful prosecution of its business, and may receive the same in payment of its capital stock.

Vested powers § 4. The immediate government, control and direction of the affairs and the organization of said company and company franchises shall be vested in the persons named in the first section of this act; and a majority shall form a quorum, with power and authority to adopt such rules and by-laws, and other things to do and to perform, necessary to the complete organization of said company and to the conducting the same, and to provide for the opening of books and obtaining subscriptions to the capital stock of said company, and for the calling of meetings of said company; and when one hundred shares of the capital stock shall be subscribed for the company may fully organize and go into operation, by the election of a board of directors, which may appoint all necessary officers, who shall hold their office during the pleasure of the board of directors; and such board of directors shall hold their office for one year and until their successors are duly elected and qualified.

Open books for subscription. May borrow money. § 5. Said corporation may borrow money, at such rate of interest as may be agreed upon, not exceeding ten per cent. per annum, and pledge its property for the payment of the same, either by mortgage, deed of trust, or otherwise.

Election of president. § 6. All the corporate powers of said company shall be vested in and exercised by the board of directors, chosen as aforesaid, and said board of directors shall, out of their own number, elect a president, whose powers and duties shall be prescribed by the by-laws of the company.

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

APPROVED March 15, 1869.

AN ACT to incorporate the Platt Coal Company.

In force April
13, 1889.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That James L. Platt, E. R. Kerr, C. A. Shelton, H. L. Kellogg, and their associates, successors and assigns, be and they are hereby created a body politic and corporate, under the name and style of "The Platt Coal Company," for the term of fifty years; and, by that name, shall have power to contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places; and shall have power to purchase, lease or otherwise hold and use real estate, for the purposes of said incorporation, and sell and convey the same, at pleasure; and said corporation shall have a common seal, and change or renew the same at pleasure.

Corporators.

Corporate name
and powers.

§ 2. The capital stock of said corporation shall be one hundred thousand dollars, with power to increase the same at the pleasure of the company, to the sum of one million of dollars, which said capital stock shall be divided into shares of one hundred dollars each. The persons named in the first section of this act shall have full power to open books of subscription to the capital stock of said company, and to organize said corporation, by the appointment of a president and such other officers as they may deem necessary, at such time and place as they may designate, by notice previously given; and, when so organized, said corporation shall have full power to commence business; and to make such by-laws, rules and regulations as they may deem necessary, from time to time, for the government and management and prosecution of the business of said company, not inconsistent with the constitution and laws of this state and of the United States.

Amount capital
stock.

§ 3. The business of said corporation shall be the mining, selling and transporting of coal from their coal mines or lands, which they may obtain by purchase, lease or otherwise.

Objects of the
corporation

§ 4. Said company shall have the right to transport their coal in such manner as they may deem expedient, and to make such arrangements for said transportation as they may consider necessary and proper. They shall have the right and power to build such railways, roads and sidetracks as they may deem necessary and expedient to connect their works with the Chicago, Burlington and Quincy Railroad or any other railway in Henry county, Illinois: *Provided, however,* such railroad or sidetrack shall not exceed five (5) miles in length; and, for the purpose of constructing such railroad, roads or sidetracks, said corporation shall have the right to obtain the right of way for the same by purchase or by condemnation, in the manner provided by an act en-

Construction
of railroad.

titled "An act to amend the law condemning right of way for purposes of internal improvement," approved June 22, 1852.

May borrow
money.

§ 5. The said corporation shall have power and are hereby authorized to borrow money or obtain on loans such sums of money and on such terms as they may deem expedient, not exceeding ten per cent. per annum, for the use of said company, and to pledge or mortgage all or any part of the estates, improvements, privileges, effects and assets whatsoever of the said company or corporation, for the repayment of said sums of money so borrowed, and at such times as may be agreed upon.

Place of busi-
ness.

§ 6. The office of said corporation shall be at Kewanee, Henry county, Illinois; and it is hereby authorized to establish such other offices and agencies, for the transaction of its business, as shall be provided for by the by-laws of said company.

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

APPROVED April 13, 1869.

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In force April
13, 1869.

AN ACT to incorporate the Rock River Coal 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 Henry Hand, Gilbert Erwin, C. C. Morton, John Scarle, H. N. Hanna, John Hanna and Young Stokes, and their associates, successors and assigns, be and are hereby created a body politic and corporate, by the name and style of "The Rock River Coal Mining 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 coal mining; and the sale and transportation of coal, stone and other minerals, and in constructing any and every kind of article they may deem necessary, and to carry on the same by steam or other power or mode not forbidden by law.

May purchase
and hold real es-
tate.

§ 2. The said company may receive, purchase and hold any real estate, leasehold property, chattels real, mining rights, and personal property, for the purpose of mining coal, stone or other minerals, as aforesaid, and preparing for sale, transportation and selling any and all of said minerals, 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 in payment of stock; and shall have power to open and construct such wagon ways, 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. General powers.

§ 3. The capital stock of said company shall not exceed fifty 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. Amount capital stock.

§ 4. 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 may deem most appropriate; and as soon as the sum of five thousand dollars is subscribed the subscribers to said stock may elect a president and not less than three nor more than five 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. Open books for subscription.

§ 5. When said sum of five 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 county of Henry, to the subscribers to said stock, to meet at Cleveland, or a day to be named therein, to organize said company, as provided for 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 such other officers and agents as they may deem necessary, and define their duties and 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 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 that the office of said company shall be within the town of Hanna, in the county of Henry. Meeting of stockholders.

§ 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 Certificates of stock to be issued.

and countersigned by the secretary and registered in a book to be kept for that purpose. Said certificate, when issued, shall be transferable and assignable in such manner as the president and directors shall by their by-laws prescribe.

May borrow
money.

§ 7. It shall be lawful for the president and directors to borrow or obtain on loan any sum of money, not exceeding the amount of stock actually paid in, on such terms 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.

Capital stock.
Payment of.

§ 8. It shall be lawful for the president and directors to require payment of the sums subscribed to the capital stock, at such time, in such proportions, and on such conditions as they shall deem best, under the penalty of forfeiture of all previous payments thereon; and shall give notice of the payments thus required and of the time and place 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 county of Henry; 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.

Organization.

§ 9. The said company shall be organized and in operation, within the meaning and true intent of this act, within two years from the passage of the same.

§ 10. 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 April 13, 1869.

In force April 13, 1869. AN ACT entitled "An act to incorporate the Spoon River Valley Coal and Transportation 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 A. H. Castle, L. C. Ellsworth, William J. Phelps, William H. VanEpps and A. Castle, their successors and assigns, are hereby constituted a body corporate, under the name and style of "The Spoon River Valley Coal and Transportation 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 to alter the same at pleasure; to engage in the mining of coal and the manufac-*

ture of coke and in the transportation of, and the sale of the same; to purchase, lease or acquire lands or mining rights, in the counties of Bureau, Putnam, Marshall, Stark, Peoria and Knox, and to mine coal and manufacture coke upon the same, and to have all powers and franchises needful for the successful prosecution of the powers herein granted.

§ 2. The said company may buy, lease or hold such real or personal estate, mining and boring rights of way as may be deemed necessary by them to the successful prosecution of their business, and may, also, through the officers of said company, sell and deed such real estate or other property, as the directors may prescribe.

Purchase, hold and convey real estate.

§ 3. The capital stock of said company shall be fifty thousand dollars, with power, by vote of a majority of the directors, to increase the same, from time to time, to any sum not exceeding five hundred thousand dollars, which stock shall be divided into shares of one hundred dollars each, for which certificates of stock shall be issued, signed by the president and secretary. Said stock shall be considered personal property, and be transferable on the books of the company as the by-laws may prescribe.

Amount of capital stock.

§ 4. The above named incorporators, or any two of them, may open books of subscription to the capital stock of said company at such time and place as they may appoint.

Open books for subscription.

§ 5. There shall be held an annual election of the stockholders of said company, for the election of directors—the time and place of holding which shall be fixed by the by-laws of said company; and at all such meetings of the stockholders each stockholder shall be entitled to vote, in person or by proxy, one vote for each share of stock held in said corporation. The government and direction of the affairs of the company shall be vested in a board of directors of not more than nine nor less than three in number, all of whom shall be stockholders in said company. Said directors shall hold their offices for one year from the date of their election or until their successors are duly elected and qualified. A majority of the board of directors shall constitute a quorum for the transaction of business. Said directors shall elect one of their number president of said company; they shall, also, elect a secretary and treasurer, and may choose such other officers as they may think proper.

Annual election.
Board of directors.

Term of office.

§ 6. If, from any cause, the annual election of directors shall not be held on the day appointed, said election may be held on any subsequent day by giving ten days' notice of said election; and said directors shall hold their offices until such election shall have taken place.

Failure to elect.
New election.

§ 7. Said company are empowered to buy, build or lease railroad cars, engines and all such other property as may be necessary or useful for the transportation of coal or coke from their mines to market, and may receive real estate, mining rights and all such other property, for the purposes

Objects of the corporation.

aforesaid, in payment for subscriptions to the capital stock of said company. Said company are, also, authorized and empowered to build, purchase, construct or lease any side-tracks, wagon road or railroads, from their mines to connect with the Dixon, Peoria and Hannibal railroad, or the Peoria and Rock Island railroad, for the purpose of transporting freight on the line of said road, coal from their mines to said roads: *Provided*, that in no case shall any such railroad track exceed ten miles in length, and that said railroad shall be constructed and used for the purpose aforesaid. The right of way for said railroad track may be obtained by purchase, gift, grant or in the mode prescribed by an act to amend the laws condemning the right of way for purposes of internal improvement, approved June 22d, 1852, and the amendments thereto. Said company may, also, lease the right of transporting coal or coke to distant markets over such roads as they may connect with. Said corporation shall furnish ample facilities and transport fire-wood and fuel of every description at the same rates as other freights of a similar class.

Dividends. § 8. The directors of said company may declare such dividends out of the net earnings of said company as they may think proper.

May borrow money. § 9. It shall be lawful for the president and directors of said company to borrow such sums of money and on such terms as they may deem expedient, for the purposes of said company, and may issue notes or bonds for the same, secured by bond and mortgage on the real or personal property of said company.

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

APPROVED April 13, 1869.

In force April 9, 1869. AN ACT to incorporate the Stony Island Stone and Lime Company.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That E. G. Clark, W. K. Ackerman and L. S. Benjamin, are hereby created a body corporate and politic, by the name and style of "The Stony Island Stone and Lime Company;" and, as such corporation, shall have perpetual succession, with all the rights, powers and privileges incident to corporations.

Amount capital stock. § 2. The capital stock of said corporation shall be fifty thousand dollars, with power in said corporation to increase the same to an amount not exceeding two hundred thousand dollars. The capital stock shall be divided into shares

of one hundred dollars each, to be deemed personal property, and transferable as such in the manner provided by the by-laws; and such capital stock shall be subscribed and paid for at such time or times and in such installments as the directors shall require.

§ 3. The corporate powers of said company shall be exercised by a board of directors, to be elected by the stockholders, at such time as the stockholders shall determine, and shall hold their offices for one year and until their successors are chosen and qualified. Each share of stock shall entitle the holder thereof to one vote in the election of directors. The principal office of said company shall be in Chicago. Powers of the directors

§ 4. The said company are hereby authorized to own and occupy so much real estate as shall be necessary for their business, and may erect thereon such buildings as shall be necessary. Possession of real estate.

§ 5. Said company are hereby authorized to engage in the business of quarrying for stone and burning lime, and may sell and dispose of such lime and stone, and may borrow money and pledge their property, real and personal, to secure the same. Objects of the corporation.

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

APPROVED April 9, 1869.

AN ACT to incorporate the Southern Illinois Coal and Marble Company. In force April 25, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John A. Logan, James P. Root, and Isaac Conner, are hereby made a body politic and corporate, by the name and style of "The Southern Illinois Coal and Marble Company;" and, by that name, shall have perpetual succession, may sue and be sued, make contracts, have a common seal, hold, possess and enjoy real and personal property, which they may sell for the purposes of said corporation, and have and enjoy all the rights, powers and privileges necessary to carry out the objects of this act. The principal office of said company shall be in Carbondale, Illinois. Corporators.

Name and style.

Corporate powers.

§ 2. The capital stock of said company shall be fifty thousand dollars, to be divided into shares of one hundred dollars each, and deemed personal property, and transferable as such upon the books of the company, in the manner they shall prescribe. The capital stock of said company may be increased from time to time, to any amount not exceeding the value of the property of said company. Capital stock.

Powers of the
directors.

§ 3. The business affairs and corporate powers of said company shall be managed and exercised by a board of directors, not exceeding nine in number, to be elected by the stockholders. Each share of stock shall entitle the holders thereof to one vote for in the election of directors. The directors shall hold their offices for one year and until their successors are elected and qualified.

Objects of the
corporation.

§ 4. Said company are hereby authorized to engage in the mining and sale of coal, iron or other materials, and marble; and for that purpose, may own so much land as they shall deem necessary; and may establish agencies for the sale of their mines or quarries. Said company shall be authorized to borrow money and pledge their property to secure the same.

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

IN FORCE April 15, 1869.

I, EDWARD RUMMEL, Secretary of State, do hereby certify that the foregoing act of the Twenty-sixth General Assembly of the State of Illinois was filed in the office of the Secretary of State, April 15, 1869, without the signature of the Governor, but, by virtue of Section 21, Article IV, of the Constitution of this State, the same is now declared a law, having been retained over ten days by the Governor after its reception.

EDWARD RUMMEL, Sec'y of State.

In force April 19, 1869. AN ACT to incorporate the Union Coal, Iron and Transportation Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That A. B. Meeker, Cyrus Bently, R. T. Crane, Geo. L. Dunlap, J. H. Wrenn, and their associates and successors, be and they are*

Name and style,

hereby constituted a body politic and corporate, with perpetual succession, by the name and style of "The Union Coal, Iron and Transportation Company;" and shall have

Corporate powers.

power, by that name, to contract and be contracted with, sue and be sued, defend and be defended, in all courts and places and in all matters whatsoever; to have a common

Objects of the
corporation.

seal, and to alter, break and renew the same at pleasure; to make by-laws, for the regulation of its affairs; to engage in the mining of coal and ores, and the manufacture of coke, pig, bar, bloom, sheet, and railroad iron, steel, spikes, nails, and all articles which may be made wholly from iron or steel, or a combination of metals; also, in the smelting of copper and lead, and in the manufacture of articles therefrom; to buy, build, own and run railroad cars, engines, boats and vessels, for the transportation of all materials and wares used, mined or manufactured by them; shall be subject to all the liabilities imposed by this act, and may construct and operate branch railway tracks, side-tracks and turn-outs, each not exceeding ten miles in length,

to connect the lands, mining rights and works of said corporation with any main line of railroad ; to acquire possession and title to lands necessary for the construction and maintenance of such tracks and turn-outs, and, for such purpose, shall have and may exercise all the powers conferred by any of the laws of this state for acquiring right of way for railroad or other public uses ; to purchase, lease or otherwise acquire, hold, occupy and enjoy all such lands, mining rights, real and personal property, as may be necessary and proper for carrying on such manufactures and mining, and operating the works and business of said corporation most favorably and profitably, and no more ; shall have and may exercise all other powers whatsoever needful for the prosecution of such manufactures, mining and transporting, and for carrying into effect the powers in this act granted.

§ 2. The persons hereinbefore named shall have power to organize said corporation, by the election or appointment of a president, secretary, board of directors, and such other officers as they may think necessary ; and the board of directors of said company shall have power, by unanimous vote, to change the corporate name of such company : *Provided*, that before any such change in name shall take effect, the affidavit of the secretary or president thereof shall be filed with the secretary of state, setting forth the name adopted and the action of the board of directors thereon. Appointment of officers.

§ 3. The capital stock of said corporation shall be two hundred thousand dollars, which may be increased by said corporation, from time to time, by a vote of the stockholders owning a majority of the stock of said corporation : *Provided*, such capital stock shall not exceed one million dollars. Said capital stock shall be divided into shares of one hundred dollars each, and be subscribed and paid for in such manner as the directors of such corporation shall order, for which certificates of stock shall be signed by the president and countersigned by the secretary of said corporation ; and said stock shall be considered personal property, and the shares thereof transferable at such times and places as the by-laws of the corporation may designate. The general office of said company shall be in the city of Chicago, Cook county. Capital stock.

§ 4. It shall be lawful for the directors of said corporation, or such officers of said corporation as the directors may by by-laws designate, to borrow, from time to time, any such sums of money as may be deemed expedient, for the purposes of said corporation ; may issue notes or bonds for loans, and secure them by mortgage of the real or personal estate of said corporation. General power.

§ 5. Said company shall receive and transport, as common carriers, all freights which may be offered to it for Tr: of 1

indicates of

transportation on the line of its said branch railway tracks, at fair and equitable rates; and said company shall, as such common carriers, transport wood, coal and other fuel, at and for the same rates as other freight of a similar class or character. And the by-laws of said corporation shall not be in conflict with existing general laws.

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

APPROVED April 19, 1869.

In force April
19, 1869.

AN ACT to incorporate the Virden Coal Mining Company.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William Carling, of Scottville, and Jonathan Plowman, John W. Utt, Willis Sims, Balfour Cowen, and E. G. Sprague, of Virden, and their associates, successors and assigns, be and they are hereby created a body politic and corporate, by the name and style of "The Virden Coal Mining 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, sale and transportation of coal; to engage in constructing shafts, pits and all other structures for mining and sinking shafts, and to carry on the same by steam or other power or mode not forbid by law.

Name and style

Corporate powers.

May purchase and hold property. § 2. The said company may receive, purchase and hold so much real estate, leasehold property, chattles, mining rights, in the county of Macoupin, as may be necessary for the purpose of mining and preparing for sale, transporting and selling any stone coal or other minerals, as may be deemed necessary by them to their successful prosecution of their business, as herein set forth and the powers herein granted; and may buy, build and own machinery, boats 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 contract and open such wagonways, highways or railroads and appurtenances thereto, on the lands owned by said company, either above or below ground, to such points, towns and places as they may deem expedient; and to draw bills of exchange, promissory notes or bonds, in the prosecution of their business; and for all and every such purpose or purposes are hereby fully vested with all the rights and powers

General powers.

of other corporations in this state. The office of said corporation shall be at the town of Virden, Illinois. Place of doing business.

§ 3. The capital stock of said company shall be twenty thousand dollars, and shall be divided into shares of one hundred dollars each; and said company shall have the power, by a vote of stockholders, at a meeting duly called by the directors hereinafter provided for, to increase the capital stock of said company to the sum of fifty thousand dollars. And any owner of stock in said company shall, by himself or by proxy, be entitled to cast one vote for each share he may own, at all elections held by this company for president and directors, after the organization thereof, as provided for in section four of this act. Capital stock.

§ 4. The corporators named in the first section of this act, or a majority of them, or of their survivors, in case any of them should die, are hereby authorized to open books of subscription to the capital stock of said company, at such times and places as they may deem most appropriate; and as soon as the sum of five 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 by himself or by proxy, may cast one vote for each share subscribed. Open books for subscription

§ 5. When the said sum of five 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 town of Virden, county of Macoupin, and state of Illinois, or in the next nearest newspaper to said town, to the subscribers of said stock, to meet at Virden, on a day to be named in said notice, 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 duties and 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 agents and officers, not inconsistent with the constitution of this state or of the United States: *Provided*, that an election for president and directors of said company shall be held, annually, at the town of Virden, upon such notice as the president and directors of said company may prescribe: *And provided*, that no person shall be eligible to the office of president or director unless he owns two shares of stock. Meeting of the stockholders.

§ 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 Officers. Certificates of stock.

book to be kept for that purpose. Said certificate, when issued, shall be transferable and assignable in such manner as the president and directors shall, by their by-laws, prescribe.

May borrow money. § 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 subscribed or the amount paid in, on such terms and conditions as they may deem expedient and for the best interests of said company, and to issue bonds for the same, secured by mortgage on the real or personal estate of said company or otherwise.

Stock subscriptions. § 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 shall deem best, under the penalty of the forfeiture of all previous payments thereon; and shall have full power, in the collection of stock subscribed, as in their judgment shall promote the best interest of the company.

Payments. § 9. This act shall be and the same is hereby declared to be a public act, and take effect and be in force from and after its passage.

APPROVED April 19, 1869.

In force March 13, 1869.

AN ACT to incorporate the Wilborn Coal Mining Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Cyrus O. Godfrey, Charles A. Savage, John Ross, Edward Price and Thomas Rice, and their associates, successors, heirs and assigns, are hereby created a body politic and corporate, under the name and style of "The Wilborn Coal Mining Company;" and by that name 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 set forth; and to exercise and enjoy the rights and privileges of natural persons. The chief office of said company shall be in the city of Alton.

Objects of the corporation. § 2. Said company shall have the right to dig, bore, mine, for coal and iron and other minerals, and to manufacture, sell and transport the same and the products

General powers.

thereof; and all other powers which it may deem necessary and adequate to carry into effect the objects of said corporation, said company shall have the right to exercise.

§ 3. The capital stock of said company shall be one hundred thousand dollars, with power to increase the same to a sum not exceeding five hundred thousand dollars, to be divided into shares of such an amount and to be subscribed and paid for as the directors of the company may determine—said shares to be transferable on the books of the company, in the manner prescribed by its by-laws. Said company may lease, buy and hold such real estate and personal property, mining and boring rights and rights of way, as may be necessary for the successful prosecution of its business, and may receive the same in payment of its capital stock. Capital stock.

§ 4. The immediate government, control and direction of the affairs and the organization of said company and company franchises, shall be vested in the persons named in the first section of this act; and a majority of them shall form a quorum, with power and authority to adopt such rules and by-laws, and other things to do and perform, necessary to the complete organization of said company and to conducting the same; and to provide for the opening of books and obtaining subscriptions to the capital stock of said company, and for the calling of meetings of said company; and when one hundred shares of the capital stock shall be subscribed for, the company may fully organize and go into operation, by the election of a board of directors, and which may appoint all necessary officers, who shall hold their office during the pleasure of the board of directors; and such board of directors shall hold their office for one year and until their successors are duly elected and qualified. Business managed by directors.

§ 5. Said corporation may borrow money, at such rate of interest as may be agreed upon, not exceeding ten per cent. per annum, and pledge its property for the payment of the same, either by mortgage or deed of trust, or otherwise. Open books for subscription

§ 6. All the corporate powers of said company shall be vested in and exercised by the board of directors, chosen as aforesaid; and said board of directors shall, out of their own number, elect a president, whose powers and duties shall be prescribed by the by-laws of the company. May borrow money.

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

APPROVED March 13, 1869.

In force April
19, 1869.

AN 'ACT to incorporate the Wiley Coal Company.

Corporators.	SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Lyman M. Wiley, William L. Wiley, R. F. Bailey, William E. Phelps and William L. Wiley, second, and their associates and successors, are hereby constituted a body politic and
Corporate name and powers.	corporate, by the name and style of "The Wiley Coal Company of Galva," with perpetual succession, for the purpose of exploring for and mining coal, ores, stone, salt and other minerals, in the counties of Henry, Knox and Mercer, in the state of Illinois; and, by that name, with power to contract and be contracted with, sue and be sued, plead and be impleaded, appear, prosecute and defend, in any court of law or equity, in all suits and actions; have a common seal, with privilege to alter the same; and may borrow money, on the issue of bonds or otherwise; pur-
General powers.	chase, hold, sell, mortgage, transfer and convey any real or personal estate, mining rights and other property, necessary for the carrying out of the objects and purposes of said incorporation; may make, erect and construct shafts, pits, roads, furnaces and forges, and all other works necessary for carrying on their operations; 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. The chief office and place of business of said company shall be at Galva, Henry county, in the state of Illinois.
Organization.	§ 2. 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.
Amount capital stock.	§ 3. The capital stock of said company shall be one hundred thousand dollars, divided into shares of one hundred dollars each: <i>Provided</i> , that when five thousand dollars of the capital stock shall have been subscribed and paid in, the company may organize and go into operation.
Construction of railroad, etc.	§ 4. Said company shall have power to construct side-track railroads, on lands belonging to them, to connect with any railroads in the vicinity of their works, and operate the same.
	§ 5. This act shall be deemed a public act, and take effect from and after its passage.
	APPROVED April 19, 1869.

MINING COMPANIES—NEW PRIVILEGES.

AN ACT supplemental to "An act to incorporate the Chester and Tamaroa Coal and Railroad Company." In force March 4, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section three of said act, to which this act is supplemental, be and the same is hereby repealed, and in lieu thereof and the powers therein conferred, the said corporation shall have power to lease, purchase and hold real estate, along the line of their said road, and personal property, and convey the same, so far as may be necessary to carry on the business of said corporation; and may, at any point or points along the line of their said railroad, manufacture iron or other minerals and may establish, maintain and operate machine shops and furnaces, for the purposes aforesaid; and may mine coal and establish such dock or docks, at the terminus of their road on the Mississippi river, as may be necessary to facilitate the transportation of their coal, iron, or other minerals. Sec. 3 repealed.

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

APPROVED March 4, 1869.

AN ACT to amend an act entitled "An act to incorporate the Eagle Coal Company," approved February 14th, 1857. In force March 31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That David Strawn, Elmer Baldwin and David Richey, be and they are hereby constituted and appointed additional incorporators, with equal rights, powers and privileges with those named in the act to which this is an amendment. Additional incorporators.

§ 2. The said company is authorized and empowered to lay out, construct, maintain and operate a railroad or railroads, from its mines in the county of LaSalle, to connect with any railroad or railroads, now constructed or which may hereafter be constructed, in the counties of LaSalle and Livingston. For this purpose, it is invested with all the rights, powers, privileges and franchises granted by the act hereby amended, for the construction of a railroad, from its mines to the Illinois Central railroad. And the said company is authorized to sell or lease its railroad or railroads, with the rights, privileges and franchises, either Rights and privileges.

before or after construction, to any railroad company, other corporation or natural person, on such terms as may be agreed upon between the parties.

Increase of directors.

§ 3. The said company may increase its board of directors to any number, not exceeding seven; and it is authorized to erect the necessary furnaces, mills, machinery, buildings and improvements, and engage in the manufacture of iron, copper and zinc, or either of them; to increase its capital stock to any amount, not exceeding the cost of its lands, mining rights and improvements; and to borrow or obtain on loan, from time to time, such sum or sums of money and on such terms as the board of directors may deem necessary for the prosecution of its business, and to pledge or mortgage the whole or any part of its lands, mining rights, property, privileges and franchises, for the payment of the interest and principal thereof.

May borrow money.

Conflicting acts repealed.

§ 4. The fourth section and all other parts and provisions of the act hereby amended in conflict or inconsistent with the provisions of this act are hereby repealed.

§ 5. This act to be in force from and after its passage.
APPROVED March 31, 1869.

In force April 9, 1869. AN ACT to amend an act entitled "An act to incorporate the Forsythe Coal Mining Company," approved February 16th, 1865.

Act amended.

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 Forsythe Coal and Mining Company," approved February 16, 1865, be and the same is hereby amended so that the corporators named in said act may proceed to and organize the corporation therein named in the manner provided by the terms of said act, from and after the passage of this act.

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

APPROVED April 9, 1869.

In force March 15, 1869. AN ACT to amend an act entitled "An act to incorporate the Gardner Coal Company," approved February 22, 1867.

May issue new stock.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Gardner Coal Company shall have the right to issue new stock and to reissue such amount of old stock of the com-

pany as shall be surrendered up for that purpose, in shares of such size or denomination as the board of directors may deem best.

§ 2. The said company shall have the right to continue Make fire-brick. in the manufacture of brick, and to engage in the manufacture of fire brick, drain tile, and pottery; and may receive, by purchase, grant or donation, such real estate as may be needed in carrying on their business or as the board of directors may decide to receive, and to sell and convey the same. All deeds or conveyances by the company shall be signed by the president, under the seal of the company, and acknowledged in accordance with the laws of the state.

§ 3. The said company shall have the right to bor- Borrow money. row money and to secure the same upon the real or personal estate of the company; the mortgages or other security papers to be executed in like manner as for deeds.

§ 4. In case the board of directors of the company shall decide to close the business of the company, all the real or personal estate of the company, remaining unsold, may be divided among the stockholders, by lot, or in such manner as the stockholders may decide upon, at a regular annual meeting thereof, or at a special meeting called for that purpose, by publication of a notice in some newspaper published in the county of Grundy, for thirty days previous to such meeting. Division of property.

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

APPROVED March 15, 1869.

AN ACT to enable the Gardner Coal Company to engage in manufactu- In force March 31, 1869.
ring business and to increase its powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Gardner Coal Company, a company organized and doing business under the provisions of an act entitled "An act to incorporate the the Gardner Coal Company," approved February 22, 1867, shall have the right to continue in the manufacture of brick, and to engage in the manufacture of fire brick, drain tile, sewer pipe, pottery, and such other articles as shall not be contrary to law to manufacture; also, to increase its capital stock for said purpose. Its stock certificates issued shall be signed by the president and secretary, and shall be issued in such denominations as shall be deemed expedient. Powers and privileges. Increase capital stock.

Payment of
indebtedness in
real estate.

§ 2. Said company are hereby authorized to receive, hold and convey such real estate as they may receive in payment of indebtedness due the company or in payment for its stock; and in all cases where it may be necessary for the company to execute mortgage upon its property, either personal or real, or conveyance of its real estate, such mortgages or conveyances shall be signed by the president and attested by the secretary, under the seal of the company, and acknowledged by the president, in such manner as is now provided by law: *Provided*, that in case of chattel mortgages the acknowledgement shall be taken before a justice of the peace in the town where the property is situate.

Division of pro-
perty.

§ 3. Whenever the company shall decide to close up its affairs, all the property or assets, remaining unsold, may be distributed among the stockholders, either by an equitable decision, agreed upon among the stockholders, or by lot, or in such manner as the company may decide.

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

APPROVED March 31, 1869.

In force April
9, 1869.

AN ACT to change the name of the Mount Carbon Coal and Railroad Company to that of the "Grand Tower Mining, Manufacturing and Transportation Company," and to define the privileges and powers thereof.

Name changed.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the corporate name of the Mount Carbon Coal and Railroad Company is hereby changed to "The Grand Tower Mining, Manufacturing and Transportation Company;" and by that name, shall be hereafter known and recognized; and may contract and be contracted with, sue and be sued, plead and be impleaded. And all the corporate rights, privileges and franchises heretofore granted to the said Mount Carbon Coal and Railroad Company and the liabilities incurred by said last mentioned company, are hereby extended, continued to and made obligatory and binding upon the Grand Tower Mining, Manufacturing and Transportation Company: *Provided, however*, that all pending suits and existing and written contracts may be conducted and enforced in behalf or against said company as though this change had not been made, in the corporate name thereof.

Corporate pow-
ers.

Further powers.

§ 2. The railroad, telegraph line, coal mines, and other improvements made by it, together with the real estate, coal barges, merchandise and other personal property owned by the Mount Carbon Coal and Railroad Company, shall be hereafter used, held and enjoyed, assessed and taxed, in

accordance with the existing and future general laws of this state, as the property of the Grand Tower Mining, Manufacturing and Transportation Company.

§ 3. The said Grand Tower Mining, Manufacturing and Transportation Company is hereby empowered and authorized to purchase the stock and property of the Grand Tower Iron Company, and to manufacture iron, steel, machinery, and other wares, for railroads and other purposes; and, for that purpose, and for other objects and purposes of said company, first mentioned in this section, said company may issue its bonds, with the privilege of converting the same into the stock of the company, to an amount not exceeding three million dollars, in addition to the bonds and capital stock allowed to it as the representative and successor of the Mount Carbon Coal and Railroad Company; said bonds to bear such rate of interest, not exceeding ten per cent. per annum, as the directors of said company may think proper.

Objects of the corporation.

§ 4. The said Grand Tower Mining, Manufacturing and Transportation Company is hereby empowered and authorized to lease any railroad or railroads, or any part thereof, which may connect with its own railroad, and, also, to complete the construction of any such connecting railroad, for the purpose and object of advancing the mining and manufacturing interests of said company.

Lease railroad.

§ 5. Said company may purchase, construct, own and use such river steam boats and other water craft, as may develop and facilitate the business of the company; and may conduct and carry on, on its own land, in Jackson county in this state, such other business as may be required for the convenience and the advancement of the mining and manufacturing business hereinbefore mentioned.

May construct boats, etc.

§ 6. Said company may purchase, acquire, use, sell, grant and convey such quantity of real estate, in other states, as the business of the company may require, and such quantity of land in this state as may be required by the company, except that its authority to purchase and hold real estate in this state is hereby limited to the ownership of no more than ten thousand acres, in addition to the number of acres of land vested in said company as the representative and successor of the Mount Carbon Coal and Railroad Company.

May purchase, hold and convey real estate.

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

APPROVED April 9, 1869.

In force April 9, 1869. AN ACT to amend an act entitled "An act to incorporate the Northern Illinois Coal and Iron Company of LaSalle," approved Feb. 18, 1857.

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 Northern Illinois Coal and Iron Company of LaSalle be and they are hereby authorized to increase the capital stock of said company to any sum, not exceeding three million dollars, and that certificates of stock may be issued therefor, in the same manner provided for by the act to which this is an amendment.

§ 2. The action of the stockholders and board of directors, heretofore had, in increasing the amount of the capital stock of said company, and issuing certificates of stock therefor, is hereby legalized and approved.

§ 3. The board of directors of said company are authorized to change the corporate name of said company, upon filing a certificate with the secretary of state; and, from and after the filing of such certificate, the said company shall be known and designated by the name assumed in such certificate, and, by such name, shall enjoy all the rights and privileges conferred upon said company by the act to which this is an amendment.

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

APPROVED April 9, 1869.

In force March 27, 1869. AN ACT to amend an act entitled "An act to incorporate the Wilmington Coal Mining and Manufacturing Company," approved February 16, 1865, and to repeal an act amendatory thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the capital stock of the Wilmington Coal Mining and Manufacturing Company shall be one hundred thousand dollars, with power to increase the same to five hundred thousand dollars.

§ 2. When the sum of five thousand dollars shall have been subscribed to the capital stock of said company, and forty per cent. paid in, the corporators of said company, or a majority of them, shall forthwith give notice, by publication in some newspaper published in the city of Joliet, in Will county, or the city of Chicago, in Cook county, or the village of Wilmington, in Will county, to the subscribers to said capital stock, to meet at such time and place as they may in said notice designate, to organize said company, as provided by section four of said act, approved February 16, 1865.

§ 3. The office of said company shall be in the said city of Chicago, or at Wilmington, in said Will county. Location of office.

§ 4. That the act entitled "An act to amend an act entitled 'an act to incorporate the Wilmington Coal Mining and Manufacturing Company,'" approved February 25, 1867, be and the same is hereby repealed. Act repealed.

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

APPROVED March 27, 1869.

MINORS.

AN ACT to declare Avery N. Holmes of age.

In force March
27, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Avery N. Holmes, a minor, of Jo Daviess 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*, that nothing herein contained shall be so construed as to allow the said Avery N. Holmes to exercise the right of suffrage, or to convey real estate, until he arrives at the age of twenty-one years. Lawful age.

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

APPROVED March 27, 1869.

MONUMENTAL ASSOCIATION.

AN ACT to incorporate the Delavan Soldiers' Monument Association.

In force March
25, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Henry Pratt, Silas Parker, Harvey Pratt, Samuel Lawton, James H. McKinstry, W. E. McDowell, J. P. Barnes, John Upham, John McKinstry, Joseph C. Duncan, L. D. Lawton, Corporators.

Name and style.	Richard Sunderland, Joseph J. Slaughter, John Reardon, and their associates and successors, be and are hereby created a body corporate and politic, with perpetual succession, by the name and style of "The Delavan Soldiers' Monument Association;" and, by that name, shall be capable,
Corporate powers.	in law, to contract and be contracted with, sue and be sued, defend and be defended, in all courts; shall have full power to acquire, hold, occupy and enjoy all such real and personal estate as may be necessary to carry out the objects for which the association is formed; and to make rules and by-laws for the government and management of the association, and to have, use and alter a common seal.
Objects of the corporation.	§ 2. The object of said association shall be the erecting and maintaining of a suitable monument, in memory of the soldiers who fell in the late war—said monument to be located in Delavan, Tazewell county, state of Illinois.
Management.	The association shall be governed by a board of trustees, consisting of fourteen members; and the above named
Board of trustees.	corporators shall constitute the first board of trustees, with power to fill all vacancies occasioned by death, resignation or otherwise.
Former acts confirmed.	§ 3. The acts heretofore done in the corporate name of said association, for the purposes herein expressed, are hereby legalized and made valid. The real and personal property of said association shall be exempt from state, county and special taxes.
Organization.	§ 4. The board of trustees may organize, by the election of such officers as they may deem necessary, and prescribe the duties of such officers.
	§ 5. This act shall be in force from and after its passage.

APPROVED March 25, 1869.

NAVIGATION COMPANIES—INCORPORATED.

In force March 10, 1869. AN ACT to incorporate the Calumet and Chicago Canal and Dock Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Elam G. Clark, Daniel J. Schuyler, George W. Wait, James H. Woodworth, Charles V. Dyer, John McCaffrey, George Schnider, John V. LeMoyné and George W. Stamford, and such persons as shall become stockholders in the cor-

poration hereby created, are hereby made and constituted a body corporate and politic, by the name and style of "The Calumet and Chicago Canal and Dock Company;" and, as such corporation, shall have perpetual succession, may contract and be contracted with, may sue and be sued, may plead and be impleaded, may have a common seal, may purchase, possess and occupy real and personal estate, and may sell, lease and employ the same in such manner as it shall determine; and shall have the right to borrow money, and pledge their property and franchises to secure the same, and have and exercise all the powers necessary, as a corporation, to carry out the objects of this act.

Name and style.

Corporate powers.

§ 2. The capital stock of said company shall be five hundred thousand dollars, which shall be deemed personal property, and shall be divided into shares of one hundred dollars each, to be paid for at the time, and in such installments as the board of directors shall direct, and shall be transferable in such manner as the directors of said company shall determine. The capital stock may be increased, from time to time, by said company, to an amount not exceeding the value of the property and franchises of the said company.

Amount capital stock.

§ 3. The business affairs of said company shall be conducted by a board of not less than seven directors, to be elected by the stockholders from their number, who shall hold their office for one year, and until their successors shall be elected and qualified. Each share of stock shall entitle the holder thereof to one vote in the election of directors. The said board of directors shall have power to make by-laws for the government and management of said corporation, its affairs, property and officers, and may appoint such officers and agents as they shall deem proper, and prescribe their powers and duties.

Directors to manage affairs.

§ 4. The principal office of said company shall be located in the city of Chicago, Illinois.

Location of office.

§ 5. The said company shall have power to enter upon and make surveys of any lands and premises between the South Branch of the Chicago river, or the Illinois and Michigan canal, and the Calumet river, which empties into Lake Michigan at or near section five, (5,) township thirty-seven (37) north, range fifteen (15) east of the third (3rd) principal meridian, in Cook county, Illinois, for the purpose of ascertaining and locating the most advantageous route for constructing a canal, and are hereby authorized and empowered to construct and make a canal, of such width as they shall determine, from such point on the said Calumet river as said company shall determine, to such point on the South Branch of the Chicago river, or the Illinois and Michigan canal, as the said company shall determine: *Provided*, the said company shall have the right to construct and make any part or portion thereof, from

May enter upon and take land.

time to time, until the whole is completed; and may construct, use, operate and employ and maintain such docks, slips, basins, ship-yards, dock-yards, dry-docks, warehouses and piers as said company may deem necessary and proper; and may make such rules and regulations as the company may prescribe, for the passage in said canal of all boats, vessels or other water-craft: *Provided*, no tolls or dues shall ever be charged or collected for the passage of any vessel, boat or water-craft in said canal.

Power to condemn lands for right of way.

§ 6. Said company shall have the right to acquire, by condemnation, title to any lands or real estate to the extent of three hundred feet on each side of the center line of said canal, as the same shall be located and established, under and by virtue of any law or laws of the state of Illinois authorizing the condemnation of said real estate for public improvements; and when such lands or real estate shall have been so acquired, the fee thereof shall be vested in said company.

Right to intersect railroad.

§ 7. Said company shall have the right to intersect any road, highway or railroad with said canal; but the said company shall restore such road or highway or railroad thus intersected to its former state, so that its usefulness shall not be impaired thereby: *Provided*, said company shall not be required to construct, maintain and operate bridges, for the use of the public, along the route of said canal, nearer to each other than one-half mile; and the location of which said bridges may be determined by the public authorities of the several towns through which said canal shall be constructed.

Construction of bridges.

§ 8. Said company shall be required to construct railroad bridges at such points along the line of said canal, where the same may intersect any railroad in operation at the time of the construction of said canal; and such bridges shall be constructed of such kind, and maintained and operated in such manner, by said company, as shall be agreed upon by said company and any railroad company whose road is so intersected; and in case the said companies shall be unable to agree, as aforesaid, either company shall have the right to petition to the judge of the circuit court of Cook county, in the matter aforesaid; and it shall be the duty of said judge to appoint three competent persons, as commissioners, who shall determine the kind of bridge, and the manner in which the same shall be maintained and operated; and in case the said Canal and Dock Company shall fail, neglect or refuse, within a reasonable time, to comply with the determination of said commissioners, the said railroad company may do all things necessary and proper to be done in the premises, pursuant to such determination, and may thereupon have and maintain a claim to recover of said Canal and Dock Company all damages, costs and expenses therefor.

Appointment of commissioners.

§ 9. Nothing in this act contained shall authorize said company to exercise the right of condemnation within the present limits of the city of Chicago, or within section sixteen, (16,) town thirty-eight (38) north, range fourteen east of the third principal meridian. Construction of act.

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

APPROVED March 10, 1869.

AN ACT to declare the Snicarte stream, in Mason county, navigable, and to provide for its improvement. In force March 26, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the stream known as the Snicarte, a branch of the Illinois river, running mostly through the town of Lynchburg, Mason county, is hereby declared to be a navigable stream, to be forever free for the navigation of boats, vessels and crafts of all kinds. Navigable river.

§ 2. That it shall not be lawful for any person to build any bridge or other structure across said stream, to fell timber into or across the same, or in any other manner obstruct the free navigation thereof; and should any person obstruct the navigation of the said stream, in the manner above specified or in any other manner, he shall be fined twenty-five dollars for each and every such offense, and in addition thereto he shall pay a fine of not less than one and not exceeding ten dollars per day for each and every day that he or they shall allow any such obstruction to remain, after notice to remove the same by the navigation commissioners hereafter named. Prohibit bridges

§ 3. All suits shall be brought, on the complaint of any person, in the name of the town of Lynchburg, for the use of the navigation fund, for the violation of this act; and all fines and forfeitures recovered for the violation of this act shall go to the benefit of the said navigation fund; and all suits may be brought before any justice of the peace or other court having jurisdiction in said county of the amount of fine proposed to be recovered, the justice of the peace being restricted to a jurisdiction of one hundred dollars, as in other cases. Suits instituted.

§ 4. That the electors of said town of Lynchburg may, at any town meeting or any special meeting called as herein provided, levy and collect a tax in the same manner as other taxes for town purposes are levied and collected, as shall be sufficient, in the judgment of the electors, to clear out said stream, to cut the timber off the banks thereof, so Levy and collect taxes.

as to prevent its free navigation, and to clean out and improve the same, as to the navigation commissioners shall seem necessary: *Provided*, a majority of all the votes cast at any such election shall be sufficient to decide for or against taxation.

Improvement
of stream.

§ 5. It shall be the duty of the said navigation commissioners to supervise the cleaning out and improving the said stream, and to expend the money so raised by taxation on the clearing out and improving thereof.

Commissioners.

§ 6. *And be it further enacted*, that Mark A. Smith, R. J. Phelps and J. W. Fletcher are hereby constituted and appointed a board of commissioners, to be styled "Navigation Commissioners," who, and their successors, shall hold

Term of office.

their offices as follows: One of the above commissioners shall hold his office for three years, one of them two years, and one of them one year, from the passage of this act, and until their successors are elected. As soon after the passage of this act as practicable, the above named commissioners shall meet together and decide, by lot, who shall hold the long, who the second, and who the short term: *And it is provided*, that the annual town meeting, in 1870, and at each annual town meeting thereafter, one of said commissioners shall be elected, whose term of office shall continue three years and until his successor is elected.

Treasurer.

§ 7. The said commissioners shall appoint one of their number treasurer, whose duty it shall be to receive from the town and county collectors all funds raised for the benefit of said navigation fund, and pay out the same, on the order of a majority of said commissioners, his own vote being included. That before said treasurer shall receive any part of such fund, he shall give bond, with good security, to be approved by the town clerk, and made payable to said clerk, in double the sum which he shall receive.

Bond and security required.

Commissioners.
Jurisdiction.

§ 8. The jurisdiction of the Navigation Commissioners shall extend the whole length of said stream, to improve and protect the same, whether in the town of Lynchburg or any other town in Mason county.

Taxes.

Submitted to
legal voters.

§ 9. The said Navigation Commissioners shall have power to call an election of the legal voters of said town, at any time, for the purpose of voting on the subject of levying a tax to carry out the provisions of this act, by posting up written or printed notices of the time and place of holding the election at least ten days before the said election is to be holden, in at least three of the most public places in said town, stating therein the subject to be voted on; at which election, if it be a special one, the said Navigation Commissioners shall act as judges, and, if a tax is voted, shall certify the same to the proper authorities; but if the election take place at an annual town meeting, then the town authorities shall act as judges.

§ 10. The commissioners provided for by this act shall receive the same compensation and be liable to the same pains and penalties for neglect of duty as road commissioners are or hereafter may be provided for by law. Compensation
of commission-
ers.

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

APPROVED March 26, 1869.

NAVIGATION COMPANIES—NEW PRIVILEGES.

AN ACT to amend an act as amended, entitled "An act to incorporate the Kaskaskia River Navigation Company," approved February 8, 1853. In force April
15, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the said company shall have the privilege of and be entitled to the exclusive use, for manufacturing purposes, the water power from 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 the act to which this is an amendment, as may be deemed suitable for the operations of said company, and town or city improvements connected therewith, or any part thereof, with the rights and privileges accruing therefrom or in any wise pertaining thereto; may erect such buildings and machinery as they may deem expedient; may engage in the business or manufacture of lumber, wood, staves and heading, cotton, woolen, hempen, flaxen or mixed or other goods, merchandise, 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 advisable, 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, sell or assign the P ivileges.

General powers.

same, and do whatever else an individual person could of right do : *Provided*, that the use of said water powers shall not impede the navigation of the said river, and that the moneys arising from the sale or rents of said water powers shall be applied to the benefit of the said company.

May borrow
money.

§ 2. The better to enable the said company to carry out the provisions of this act and the act to which this is an amendment, said company is hereby authorized to borrow, for the purposes therein set forth, any sum or sums of money, not exceeding at any time the amount of capital stock, in all, on a credit of not exceeding twenty-five years, and at a rate of interest not exceeding ten per cent. per annum, payable annually, and to execute and issue bonds for that purpose, which bonds shall have a lien upon all the property of the company for the payment of the same.

Construction
of railroad.

§ 3. The said company shall have power to construct a railroad from said Kaskaskia river to a suitable landing upon the Mississippi river, if they find it to their interest so to do, for the transfer of freight and passengers, either by horse or steam power : *Provided*, said railroad shall begin at or near the mouth of the Kaskaskia river : *And, provided, further*, that said road shall not exceed one mile in length.

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

IN FORCE April 15, 1869.

I, EDWARD RUMMEL, Secretary of State, do hereby certify that the foregoing act of the Twenty-sixth General Assembly of the State of Illinois was filed in the office of the Secretary of State, April 15, 1869, without the signature of the Governor, but, by virtue of Section 21, Article IV, of the Constitution of this State, the same is now declared a law, having been retained over ten days by the Governor after its reception.

EDWARD RUMMEL, Sec'y of State.

In force April
15, 1869.

AN ACT supplemental to "An act to incorporate the Kaskaskia River Navigation Company," approved February 8, 1853, for the purposes of giving state aid and to enable the counties and towns on the same to aid said company.

Application of
state taxes.

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, except the state school tax and the two mill tax, provided by the constitution to help pay the state debt, for the years eighteen hundred and sixty-eight and eighteen hundred and sixty-nine and for eight years thereafter, from the real estate lying and being within the following limits, in the county of Randolph, to-wit: townships four (4), five (5), six (6), seven (7) south, of range seven west, and townships four (4) and six (6) south, of range six (6) west, and townships four (4), five (5) and six (6) south, of range eight (8) west, to be appropriated and applied to the construction of the improve-

ments contemplated by said act, entitled "An act to incorporate the Kaskaskia River Navigation Company," approved February 8, 1853.

§ 2. *Be it further enacted*, that the collector of Randolph county is hereby authorized and directed to pay over to the treasurer of said company all the state taxes, as aforesaid, levied on the real estate in said township for the years aforesaid, as soon as the same shall be collected, and shall take from said treasurer duplicate receipts for the same, one of which he shall transmit to the auditor of public accounts and shall constitute a voucher for the amount so paid 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.

Payment of
taxes to treasurer
of company.

§ 3. And the said state taxes, herein provided to be paid over to the said Kaskaskia River Navigation Company, shall be applied to the improvement of said river, and to no other purpose whatever. And none of said state taxes shall be paid to the said company until after the improvements on said river shall have been commenced, in good faith, and the president of said company shall have furnished a sworn statement of the fact of such commencement to the collector of taxes, before any part of said taxes shall be paid over to the said company; and if, for any reason, the work on said improvement shall not be commenced or shall at any time cease, then the said collector shall pay the said taxes into the state treasury, to be placed to the credit of said company, to be drawn from the said state treasury only on the sworn statement of the president of said company and the certificate of the judge of the circuit court of Randolph county that the said company is actively engaged in prosecuting the improvements on said river; and if the said company shall fail, for five years, from the passage of this act, to commence the said improvements, then the provisions of this act, in relation to state taxes being paid to said company, shall cease and become void; and whatever funds shall be in the state treasury, to the credit of said company, shall be placed among the general funds of the state.

Improvement
of river.

Mode of depo-
sition of state taxes

§ 4. And if the state shall, at any time hereafter, take possession of said improvements on the Kaskaskia river, as provided by said act of February 8, 1853, then the whole amount of state taxes received by said company, under the provisions of this act, shall be deducted from the estimated value of said improvements, and the state shall pay for the same only the amount remaining after such deduction.

State may take
possession of
improvement.

§ 5. *Be it further enacted*, that the county courts of any of the counties through which the said Kaskaskia river flows, and any of the cities, towns, townships or villages, on or near the said river, interested in the improvement of

Towns and
cities may take
stock.

Towns and
cities may issue
bonds.

Submitted to
legal voters.

the same, are hereby authorized to take stock or purchase the bonds of said company, in any amount, not exceeding fifty thousand dollars each; and for the purpose of paying for such stock or bonds they are authorized to levy a special tax on all the taxable property in their respective counties, cities, towns, villages or townships; and said tax shall be collected at the same time and in the same manner as other taxes are collected. And for the payment of such stock or bonds, the respective county courts and legal authorities of any such townships, cities, towns and villages, are hereby authorized to issue bonds, in such amounts, with such rate of interest, not exceeding ten per cent., and payable at such time or times as they may determine, pledging the faith of the said county, city, township, town, and village, to the payment of the same: *Provided*, that no such subscriptions to the stock of said company nor purchase of the bonds of said company shall be made until after the question of such subscription or purchase shall have been submitted to the voters of such county, township, city, town, or village, at a special or general election, and a majority of such voters shall have voted in favor of such subscription or purchase. Thirty days' notice of the time and place of such election and the amount proposed to be subscribed or purchased, as aforesaid, of the stock or bonds of said company [?], and the election shall be held and conducted, canvassed, and returns made, in the manner provided by the general laws of the state, except that no registration of voters shall be made for such special election, but the last register made shall be used at such elections.

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

APPROVED April 15, 1869.

NEWSPAPERS—INCORPORATED.

In force March
27, 1869.

AN ACT to incorporate the Advance Company.

Re-organization

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the Advance Company, a corporation heretofore organized and existing under the general laws of this state, carrying on its operations in the city of Chicago, in the county of Cook, is hereby made and declared to be a body corporate and politic, under and in accordance with the provisions of this act, by the name and style of "The Advance Com-

Name and style.

pany," with perpetual succession; and, by that name, may sue and be sued, implead and be impleaded, in all courts; and may have, make and adopt a common seal, and change the same at pleasure; and shall be and hereby is 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. Corporate powers.

§ 2. The capital stock of this company shall be fifty thousand dollars, to be divided into shares of one hundred dollars each; and said company may, at any meeting of the stockholders, whereof they shall have been notified, as herein provided, by vote of a majority in amount of the stockholders who shall attend such meeting, in person or by proxy, increase the capital to such amount as they may think proper, not exceeding five hundred thousand dollars. The notice of such meeting, with the object and intent thereof, shall be given by publication in the company's newspaper at least four weeks preceding such meeting, or by written or printed notice addressed to each stockholder, mailed four weeks before such meeting. Amount capital stock.

§ 3. The object for which this company is organized is the publishing of a newspaper in the city of Chicago. And said company is further authorized and empowered to print, bind, publish and sell all kinds of books, periodicals and printed matter; and to hold, buy and sell all such property, real and personal, as may be necessary and convenient for that purpose, including such as may be taken in payment of or as a security for any indebtedness to the company. Objects of the corporation.

§ 4. Said company shall have power to make all needful and necessary rules, by-laws and regulations, for the conduct and management of its affairs, not inconsistent with the constitution and laws of this state or of the United States, and to transact all its business affairs by and through its board of directors and such officers and agents as said board may appoint. Rules for government.

§ 5. There shall be an annual meeting of the stockholders, to be held at such time as the board of directors shall appoint, of which notice shall be given in the manner provided in the second section of this act; at which meeting a board of seven directors shall be chosen and such other business transacted as the stockholders may think proper, pertaining to the affairs of the company. Directors elected shall continue in office until their successors are chosen. C. M. Cady, J. W. Butler, T. L. Miller, I. H. Pearson, T. M. Avery, J. E. Roy and J. R. Shepherd, shall be the directors until the next annual meeting and until the election of their successors. Annual meeting of stockholders.

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

APPROVED March 27, 1869.

In force Feb. 27,
1869.

AN ACT to incorporate the Chicago Legal News Company.

Corporators.	SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That Myra Bradwell, and her associates and successors and assigns, are hereby created a body corporate and politic, under and
Name and style.	by the name, style and title of the "Chicago Legal News Company," with perpetual succession; and, by that name,
Corporate powers.	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 the same to renew or 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
Amount capital stock.	the purposes and objects of this act. The capital stock of said company shall be twenty-five thousand dollars, and may be increased to one hundred thousand dollars, the same to be divided into shares of one hundred dollars each.
Objects of the corporation.	§ 2. The primary object of said company shall be to publish the "Chicago Legal News," a weekly newspaper, in the city of Chicago, state of Illinois, devoted mainly to legal matters; and said capital may be invested in such printing presses, machinery, types, paper, fixtures, and other articles, as may be necessary to carry on the printing, publishing and binding business.
Rules for government.	§ 3. The said Chicago Legal News 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 representing two-thirds of the stock of the said company, at some regular meeting, of which due notice shall be given, in writing, to all of said stockholders, at least ten days before said meeting.
Election of officers.	§ 4. Whenever stock to the amount of five thousand dollars shall have been subscribed, it shall be lawful for the stockholders to commence business under this act; and they may elect a president and secretary 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
Stockholders held responsible for debts.	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 one year after the assignment of the stock so held by them, respectively; and all the real and personal estate of the said Myra Bradwell shall be liable for the debts of said company contracted while she is a stockholder

therein; and all stock of said company owned by her and the earnings thereof shall be her sole and separate property, the same as if she were an unmarried woman; and she shall have the same right to hold any office or offices in said company or transact any of its business that a *femme sole* would have.

§ 5. Any notice or advertisement, required by law or the order of any court to be published in any newspaper, shall be as good and valid if published in the Chicago Legal News as in any newspaper, and the certificate of the president or secretary, under the seal of said company, of the publication of any notice or advertisement, shall be sufficient evidence of the publication therein set forth.

All notices made legal and valid.

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

APPROVED February 27, 1869.

AN ACT to incorporate the East St. Louis Gazette Company.

In force March 30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Francis Witham, John B. Lovington, Mortimer Willard, Thomas Winstanly, Dennis Ryan, Henry Oebike and Patrick Vaughn, and such other persons as may become stockholders in said company, and their successors or assigns, are hereby created a body politic and corporate, by the name and style of "The East St. Louis Gazette Company;" and, as such, may sue and be sued, and contract and be contracted with, have a common seal, make by-laws, have perpetual succession, and all the powers of a corporation necessary to carry into effect the provisions of this act.

Corporators.

Name and style.

§ 2. The capital stock of said company shall be twenty-five thousand dollars, and be divided into shares of one hundred dollars each, to be deemed personal property, and transferable on the books of the company as the by-laws may prescribe, and may be increased by the board of directors, as the business of the company may require, not exceeding the cost of the company's property. Each share of stock shall entitle the holder to one vote.

Amount capital stock.

§ 3. Any four of the corporators named above shall be authorized to receive subscriptions to the capital stock. When all the stock has been subscribed and ten per cent. thereof has been paid in, said corporators, or a majority of them, shall call a meeting of the stockholders, by publishing a notice in some newspaper published in the county of St. Clair, Illinois, for the election of five directors, who shall manage the affairs of said company; may make by-

Meeting of stockholders.

Organization.

laws and appoint all necessary officers and agents, and prescribe their duties and powers. Said directors shall hold their office for one year and until their successors are elected; they shall elect a president and secretary from among themselves; and an election for a board of directors shall be held, annually, in such manner as the by-laws may prescribe.

Objects of the corporation.

§ 4. Said company shall be authorized to publish a daily, tri-weekly and weekly newspaper, or either of them, in the city of East St. Louis, Illinois; do job printing, book-binding, and a general publishing business; and may manufacture all material, and receive in payment for stock subscription materials required in carrying on said business, and employ all necessary machinery, engines, presses, types, fixtures and implements, for such purpose.

May purchase and hold real estate.

§ 5. They shall be authorized to lease or purchase and hold real estate or buildings, and to let any portion of it not required for their use.

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

APPROVED March 30, 1869.

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In force March 30, 1869.

AN ACT to amend an act entitled "An act to incorporate the East St. Louis Tribune Company," approved March 7, 1867.

Organization.

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 East St. Louis Tribune Company," approved March 7, 1867, be and the same is hereby so amended that whenever five thousand dollars of the capital stock of said company shall have been subscribed and ten per cent. thereof paid in, said company may organize and commence business.

Additional corporators.

§ 2. There shall be added to the corporators of said company, Dr. T. C. Jennings, Andrew Wittig, and Lewis M. St. John.

When to commence business.

§ 3. Said company shall organize and commence the issue of a newspaper, to be issued at least once a week, within one year from and after the passage of this act.

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

APPROVED March 30, 1869.

AN ACT to incorporate the German Newspaper and Printing Company. In force March 30, 1869.

- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Otto Hartung, Frederick Heize, Henry A. Kaufman, Henry Lamparter, Charles Lodding, Conrad Folz, and their associates and successors and assigns, are hereby created a body corporate and politic, under and by the name, style and title of "German Newspaper and Printing 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 and 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 shall be used, mainly, in the printing, publishing and binding business, in the city of Chicago, county of Cook, and state of Illinois, and shall be vested 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. *And be it further enacted, that 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.*
- § 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.*
- § 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 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 German Newspaper and Printing Company. All deeds of such real estate shall be made to said German Newspaper and Printing Company; and deeds and conveyances made by said*
- Corporators.
- Name and style.
- Corporate powers.
- Capital stock.
- Objects of the corporation.
- May purchase and hold real estate.
- Construction of buildings.

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 and conveyances shall be signed by the president and secretary of said company, and be attested by the corporate seal thereof.

Lease grounds.

§ 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 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 and binding business, as aforesaid.

Rules for government.

§ 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, not inconsistent with the laws of this state or of the United States, 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, at 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 forty 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 they were stockholders, aforesaid, and for six months after the assignment of the stock so held by them, respectively.

Certificate of publication valid

§ 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.

[§ 9.] This act shall take effect and be in force from and after its passage.

APPROVED March 30, 1869.

AN ACT to incorporate the Illinois Statesman Newspaper and Printing In force April
Company. 19, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Charles S. Zane, E. B. Hawley, William H. Herndon, O. M. Hatch, William Jayne, George R. Webber, J. D. B. Salter, O. H. Miner, John A. Chesnut and James C. Conkling, and their associates, successors and assigns, are hereby created a body politic and corporate, under and by the name, style and title of "The Illinois Statesman 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, use and have 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 mainly used in the printing, publishing and binding business, in the city of Springfield, in the county of Sangamon, 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.

Corporators.

Name and style.

Corporate powers.

General powers.

§ 2. The company shall, also, have power to manufacture, in said city of Springfield, 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 section third.

§ 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.

May purchase real estate.

§ 4. Said company shall have power to purchase and hold so much real estate and lots in the city of Springfield as may be necessary to erect suitable buildings thereon, the same to be used, mainly, in the printing, publishing and binding business, as aforesaid; and all real estate acquired under the provisions of this act may be sold, aliened and conveyed, at the pleasure of said company; and all deeds or conveyances made by said company shall be authorized by a vote of a majority in interest of the stockholders; and said deeds and conveyances shall be signed by the president

Erect buildings.

and countersigned by the secretary and attested by the corporate seal thereof.

Lease building. § 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 or owned by them, as may not be needed in the printing, publishing and binding business.

Rules for government. § 6. Said company shall have power to make all needful and necessary rules for the regulation and direction of its affairs, not inconsistent with the laws of this state or of the United States, 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 said meeting.

When to commence business. § 7. Whenever stock to the amount of twenty-five 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.

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

APPROVED April 19, 1869.

In force March
13, 1869.

AN ACT to incorporate the Quincy Whig Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William H. Bailhache, David L. Phillips, and such other persons as they may associate with them, and their successors and assigns, are hereby created a body corporate and politic, under the name and style of "The Quincy Whig 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.

Corporators.

Name and style.

Corporate powers.

and the same to renew and alter at pleasure; and they 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, 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 Adams, and shall 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.

Amount of capital stock.

§ 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.

Objects of the corporation.

§ 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 sublease 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 of conveyance made by said company shall be authorized by a 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 hold and convey real estate.

§ 4. Said Whig 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.

Lease property.

§ 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 on 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.

Rules for government.

§ 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 may be deemed necessary, and fix their compensation and term of office. And the said stockholders shall be liable, in proportion to the amount of stock

Organization.

held by them, respectively, for all debts contracted by said company, during the time they were stockholders and until the assignment of the stock so held by them, respectively.

Record of proceedings.

§ 7. Said company shall keep a record of its proceedings, which said 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.

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

APPROVED March 13, 1869.

NEWSPAPERS—NEW PRIVILEGES.

In force March 4, 1869. AN ACT to amend an act entitled "An act to incorporate the Illinois Staats Zeitung Company," approved February 13, 1865.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the Illinois Staats Zeitung Company be and the same is hereby authorized to increase its capital stock to two hundred thousand dollars.*

Increase of capital stock.

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

APPROVED March 4, 1869.

OMNIBUS COMPANIES—INCORPORATED.

In force March 26, 1869. AN ACT to incorporate the People's Omnibus and Baggage Company of Chicago

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Charles C. P. Holden, Rufus C. Hall, Levi P. Wright, William N. Reynolds and John Hutchinson, are hereby made and constituted a body corporate and politic, by the name and style of "The People's Omnibus and Baggage Company of Chicago;" and, by that name, shall have succession for fifty years; may sue and be sued, have a common seal, make by-laws, may make contracts and hold such real es-*

Corporators.

Corporate name and powers.

tate as shall be necessary for their business, and have and enjoy all the rights and privileges of a body corporate that may be necessary to carry out the provisions of this act.

§ 2. The capital stock of said company shall be one hundred thousand dollars, to be paid in at such times and in such installments as the directors shall require, and 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. The capital stock may be increased to an amount not exceeding, in the aggregate, three hundred and fifty 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 of said company.

Amount capital stock.

§ 3. The business and affairs of the company shall be managed by a board of five directors, to be elected annually; and the directors shall choose from their number a president, secretary and treasurer, who shall hold their offices during the term of their directorship. The directors may appoint other officers and agents, and prescribe the powers and duties of the officers and agents of said company or of the board. The directors shall have power to make by-laws, not inconsistent with the laws of this state or of the United States, and to do all things necessary to the successful conduct of the affairs of the company.

Directors to manage affairs.

§ 4. Said company are hereby authorized to establish one or more lines of omnibuses, stages or baggage wagons, in the city of Chicago, or the county of Cook, and may operate the same between such points in said city or county as they shall, from time to time, determine, and employ such drivers as their business may require, and employ in their business omnibuses, stages and wagons, and run the same at intervals, or otherwise, and may establish, charge and collect such rates of fare as shall be fixed by the directors, from time to time, for the carrying of passengers or baggage.

Objects of the corporation.

§ 5. Said company are authorized to erect, purchase or hire one or more stables, or other buildings, for their use, and may maintain or operate one or more shops, for the manufacture or repair of any of their harnesses, stages, omnibuses or other property used or to be used by them; but nothing herein shall exempt said company from paying to the city of Chicago such license as shall be required by any general ordinance of said city, so far as the same shall relate to omnibuses.

May purchase and erect stables, shops, etc.

§ 6. This act shall be void, unless said company shall organize within two years from the passage of this act.

When act to be void.

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

APPROVED March 26, 1869.

In force March
29, 1869.

AN ACT to incorporate the Union Omnibus Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That Myron C. Tucker, Henry A. Wallingford, and their associates, successors and assigns, are hereby made and constituted a body corporate and politic, by the name and style of "The Union Omnibus Company;" and, by that name, shall have succession for fifty years; may sue and be sued, have a common seal, make by-laws, may make contracts, and hold such real estate as shall be necessary for their business, and have and enjoy all the rights and privileges of a body corporate that may be necessary to carry out the provisions of this act.*

Corporate name
and powers.

Amount capital
stock.

§ 2. The capital stock of said company shall be fifty thousand dollars, to be paid in at such times and in such installments as the directors shall require, and 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. The capital stock may be increased to an amount not exceeding in the aggregate two hundred and fifty 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 of said company.

Directors to
manage affairs.

§ 3. The business and affairs of the company shall be managed by a board of five directors, to be elected annually; and the directors shall choose from their number a president, secretary and treasurer, who shall hold their offices during the term of their directorship. The directors may appoint other officers and agents, and prescribe the powers and duties of the officers and agents of the said company or of the board. The directors shall have power to make by-laws, not inconsistent with the laws of this state or of the United States, and to do all things necessary to the successful conduct of the affairs of said company.

Objects of the
corporation.

§ 4. Said company are hereby authorized to establish one or more lines of omnibuses, stages or baggage wagons, in the city of Chicago, or the county of Cook, and may operate the same between such points in said city or county as they shall, from time to time, determine with, and employ such drivers as their business may require, and employ in their business omnibuses, stages and wagons, and run the same, at intervals or otherwise; and may establish, charge and collect such rates of fare as shall be fixed by the directors, from time to time, for the carrying of passengers or baggage and other articles.

May purchase
and erect stables

§ 5. Said company are authorized to erect, purchase or hire one or more stables, or other buildings, for their use, and may maintain or operate one or more shops, for the

manufacture or repair of any of their harness, stages, omnibuses or other property, used or to be used by them; but nothing herein shall exempt said company from paying to the city of Chicago such license as shall be required by an general ordinance of said city, so far as the same shall relate to omnibuses.

§ 6. This act shall be void, unless said company shall Act, when void. organize within two years from the passage of this act.

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

APPROVED March 29, 1869.

OMNIBUS COMPANIES—NEW PRIVILEGES.

AN ACT to change the title of the "City Baggage and Transfer Com- In force March
pany" to the "Chicago Omnibus Company." 29, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the* Name changed.
name of the "City Baggage and Transfer Company," a corporation existing under an act of the general assembly of the state of Illinois, approved February 25, 1867, be and the same is hereby changed to and the said company shall hereafter be known by the name of the "Chicago Omnibus Company."

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

APPROVED March 29, 1869.

PLANKROAD COMPANIES—INCORPORATED.

AN ACT to incorporate the Benton and DuQuoin Plank or Gravel Road In force March
Company. 24, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Corporators.
Isaac N. Neely, Pleasant N. Pope, Edward V. Pierce, and Thomas M. Sams, of Perry county, and William H. Hoskerson, Thomas H. Dillon, James M. Bailey, Sebern J. Layman,

Corporate name
and powers.

William H. Williams, Tilmon B. Cantrell and Calvin H. Clark, of Franklin county, and all such persons as may become stockholders, and their successors in office, be and they are hereby created a body corporate and politic, by the name of "The Benton and DuQuoin Plank or Gravel Road Company;" and shall, by that name, sue and be sued, plead and be impleaded, answer and be answered unto, in all courts of law and equity; shall make and use a common seal, and alter the same at pleasure; make by-laws, rules and regulations for the government of the business of such company or corporation, and may buy and sell and hold real estate, for the use of said company.

Construction of
road.

§ 2. Said corporation shall have power to construct and maintain a plank or gravel road, or either, of such top width, above sixteen feet, as they may deem necessary, on or near the public highway leading from Benton, in the county of Franklin, to DuQuoin, in the county of Perry, or on or over any nearer or more practicable route, leading from and to the aforesaid Benton to DuQuoin, the definite location to be selected by said corporation.

Amount capital
stock.

§ 3. The capital stock of said corporation may be one hundred thousand dollars, divided into shares of twenty-five dollars each—such shares to be considered personal property; and whenever stock to the amount of five thousand dollars shall have been subscribed, the stockholders shall assemble and elect five directors, who shall, so soon as twenty per cent. thereof is paid in, cause the construction of said plank or gravel road to be commenced, at such place or places along the line of said projected route, as they may deem expedient. Said directors shall have power to appoint such needful officers or agents as they may deem proper; and are empowered to levy such assessments as they may deem necessary, from time to time, to complete, in whole or in part, said plank or gravel road. Said directors shall serve for one year or until their successors are chosen.

General powers

§ 4. The corporation hereby created shall, so soon as said plank or gravel road is completed on, over and across that part of said route known by common usage as "Big Muddy Bottom," in Franklin county, and "Little Muddy Bottom," in Franklin and Perry counties, have power to erect toll gates thereon, and collect tolls not to exceed the average toll rates charged on similar roads in this state: *Provided*, that if at any time the city of DuQuoin, by its common council, or the town of Benton, by its town trustees, one or both, or the county court of Perry county, or the county court of Franklin county, one or both, may at any time have power and they are hereby authorized, collectively or separately, to purchase, at such price as their disinterested householders, fairly chosen, may agree to, the

whole or any portion of said road and throw the same open, if deemed best, as a free public highway.

§ 5. It shall be lawful for any toll gatherer on said road to stop and detain any and all persons, buggies, carriages, wagons, or teams, of all descriptions, for refusal to pay such tolls as the directors may, from time to time, prescribe. Collection of tolls.

§ 6. The said commissioners are hereby authorized to locate and construct said plank or gravel road over any lands owned by the state or by any corporation or individuals on the route of said road. Said company shall pay all damages that may accrue to any person or persons, by means of taking their lands, timber, rock or gravel, for the use of said road; and when the same cannot be obtained by the consent of the owner or owners upon reasonable terms, it shall be estimated and recovered in the manner provided by law for the recovery of damages happening by the laying out of highways. Pay damages for land taken.

§ 7. Any persons who shall willfully injure or obstruct the said Benton and DuQuoin plank or gravel road, or any part of the appendages thereof, shall be guilty of a high misdemeanor, and shall forfeit, to the use of the said corporation, a sum three-fold the amount of the damages occasioned by said injury or obstruction, to be recovered in an action of debt, before any justice of the peace or any court of record in this state. Willful injury.

§ 8. Any person who shall refuse to pay such tolls as the directors of said corporation may, from time to time, prescribe, shall be liable to a fine of not less than three dollars nor more than fifty dollars, to be recovered in an action of debt, before any justice of the peace, in either of said counties, where the offense shall have been committed. Punishments for refusal to pay toll.

§ 9. *Be it further enacted*, that the said Isaac W. Neely, Pleasant N. Pope, Edward V. Pierce, Thomas M. Sams, William W. Hoskinson, Thomas H. Dillon, James M. Bailey, Seabern J. Layman, William H. Williams, Tilmon B. Cantrall and Calvin M. Clark, be and they are hereby authorized to construct and maintain a branch plank or gravel road, from Benton, in said Franklin county, to Tamaroa, in said Perry county, with the same powers, duties, liabilities and protection afforded in the foregoing charter; and the said corporators shall commence the construction of said branch plank or gravel road as soon as the sum of three thousand dollars shall have been subscribed for that purpose. Construction of branch road.

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

APPROVED March 24, 1869.

In force March 30, 1869. AN ACT to incorporate the Champaign and Mahomet Gravel and Plank Road Company.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Washington W. Beasley, John W. Scroggs, Wiley Davis, James R. Scott and James Latham, their associates and successors, be and they are hereby created a body politic and corporate, **Corporate name and powers.** under the name and style of "The Champaign and Mahomet Gravel and Plank Road Company;" and, by that name, shall have succession and corporate existence, for and during the term of thirty years, from and after the passage of this act; and may have and exercise all the powers and privileges of corporations necessary and reasonable for the purpose of carrying out the provisions of this act. Said company may purchase, hold, sell, and so much real and personal estate as may be reasonably necessary for the construction and maintenance of the road hereinafter mentioned.

Construction of road. § 2. Said company shall have power to construct, maintain and operate a gravel or plank road, or a road partly of gravel and partly of plank, of such width as said company may deem advisable, from the west end of Washington street, in the city of Champaign, in the county of Champaign, in a northerly direction, to the town of Mahomet, in the said county of Champaign. And said company may construct, operate and maintain so much of said road as to it may seem advisable, and, for the purpose of obtaining the right of way for said road, whenever said company cannot obtain the same by purchase, gift or grant, said company may proceed and condemn the right of way for such road, under and by virtue of and in accordance with the provisions of any of the laws of this state which provide for the condemnation of land for public uses.

Amount of capital stock. § 3. The capital stock of said company shall be one hundred thousand dollars, and shall be divided into shares of one hundred dollars each. In all elections of the stockholders of said company each share of stock shall be entitled to one vote; and each stockholder may vote, either in person or by proxy.

Open books for subscription. § 4. The corporators herein named shall, within three months after the passage of this act, open books for subscription to the capital stock of said company; and when twenty-five thousand dollars of the stock of said company shall have been subscribed the said corporators shall, by notice published for three consecutive weeks in some paper published in said city of Champaign, call a meeting of the persons so subscribing to the stock of said company, at which meeting there shall be elected by the persons so subscribing to said stock a board of five directors, and, annu-

ally thereafter, the stockholders shall elect from their number a board of five directors, who shall hold their offices for the term of one year and until their successors are elected and qualified; such board of directors shall elect from their number the officers of said company.

§ 5. Said company may make such rules, regulations and by-laws, for the management of its affairs, as shall not be inconsistent with the laws of this state or of the United States. Rules for government.

§ 6. Until said road shall be completed said company may establish a toll gate for every three miles of said road which shall be completed. After said road shall be completed in full, said company shall only establish one toll gate for each four miles of said road. Said company may have power to charge, collect and receive a reasonable fee, toll or charge for the use of said road. Said company may dig ditches, for the purpose of draining the line of said road, and in the construction of said road may build all the necessary bridges. Toll-gates.

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

APPROVED March 30, 1869.

AN ACT to incorporate the Clarksville, Pleasant Hill and Pittsfield Road Company. In force March 2, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That A. L. Galloway, A. I. Lovell, John B. Harl, Perry Wells, John O. Roberts, James N. Hicks and William McIntosh, and all such persons as shall become stockholders, agreeable to the provisions of this act, in the corporation hereby created, shall be, and for the term of ninety-nine years from and after the passage of this act, shall continue to be a body corporate and politic, by the name and style of "The Clarksville, Pleasant Hill and Pittsfield Road Company;" and, by that name, shall have succession, for the term of years aforesaid; may sue and be sued, plead and be impleaded, answer and be answered unto, in any court of law or equity; may make by-laws, rules and regulations for the management of their property and affairs, and for the transfer of their stock, not inconsistent with the laws of this state and the United States; and may appoint such officers, agents and servants as the business of said company may require, prescribe their duties, fix their compensation, and require bonds for faithful performance thereof. Corporators.

§ 2. Said corporation shall have power to construct, maintain and continue a macadamized, gravel or plank Construction of roads.

road, from the east bank of the Mississippi river, opposite the city of Clarksville, in the state of Missouri, through the town of Pleasant Hill to the town of Pittsfield, in the county of Pike, and state of Illinois, of such width as may be deemed advisable by a majority of the directors of said corporation.

First board of directors.

§ 3. The aforesaid persons, corporators in the first section herein named, shall constitute the first board of directors of said company, under this act, and who shall, at any time within three months from and after the passage of this act, to be selected by them, meet at Pleasant Hill, in said state of Illinois, and proceed to organize the said board, by the election of a president from their own number, a secretary, treasurer, and such other officers as they may deem best; and which said board of directors and officers shall hold their respective offices until the next annual election of officers and until their successors are duly elected and qualified.

Annual meeting of stockholders.

§ 4. The stockholders of said company shall meet in such place as the board may select, on the said first Monday of April, A. D. 1870, and upon said day, in each and every year thereafter, and proceed, in such manner as the by-laws, rules and regulations of said company may direct, to choose from their own number seven directors, who shall meet and organize at the next regular meeting thereafter and enter upon the discharge of the duties of their said office, first choosing their officers as aforesaid, and shall hold their offices, respectively, for the period of twelve months and until their successors are duly elected and qualified. All elections shall be by ballot; and each stockholder shall be entitled to as many votes, either personally or by proxy, as he shall own shares of stock.

Officers chosen.

Amount capital stock.

§ 5. The capital stock of said company shall be one hundred thousand dollars, and may be increased to a sum not exceeding two hundred and fifty thousand dollars, if deemed necessary to the completion of the road, by a vote of a majority of the stockholders, and shall be divided into shares of twenty-five dollars each, which shall be considered as personal property, except for revenue purposes, when it shall be considered and taxed as real estate.

Subscription books opened to capital stock.

§ 6. The said corporators shall be commissioners for receiving subscriptions to the stock of said company, who shall open books for such subscriptions at such time or times and place or places as they may designate, having first given ten days' notice of such time and place, in a public newspaper; they are, also, authorized to accept and adopt any subscription heretofore made in aid of the road contemplated in this act, or any promise made by any person or corporation to pay any sum of money, for the purpose of building said road; and any such subscription or promise heretofore made or given to any person or persons,

for the purpose aforesaid, shall be valid and binding on the person or corporation making the same, when accepted or adopted as aforesaid, and shall inure to the company by this act created, and who may sue for and recover the same.

§ 7. Said company is hereby authorized to locate and construct said road over any land owned by this state or by any corporation or individual, and, for the purpose of constructing the same, may enter on any land on the route thereof or adjoining thereto and take therefrom any timber, stone, earth or gravel, paying all damages occasioned thereby; and when the amount of said damages cannot be agreed upon by and between any owner thereof and said company, the same shall be estimated and recovered in the manner provided by law for the recovery of damages happening by the laying out of highways, in chapter ninety-three (93), of the Revised Statutes of this state of 1845.

Location and construction of road.

§ 8. The said corporation shall be authorized, as soon as one-half mile of said road is completed, to erect and maintain one or more toll gates thereon, as they may deem proper; and they shall have authority to fix and regulate the tolls to be charged on said road, not to exceed the following rates, viz: for every vehicle, drawn by one animal, two cents per mile; for every vehicle, drawn by two animals, three cents per mile, and one cent additional per mile for each animal over two; for every horse and rider or led horse, one cent per mile; for every head of neat cattle, mules and asses, one-half cent per mile; and for every ten hogs or sheep, one cent per mile, and in that proportion for any less number. No person shall be exempt from the payment of toll, as aforesaid, unless by the special permit and license of said board of directors.

Toll-gates.

§ 9. If any person or persons, using any part of said road, with intent to defraud said company, shall pass through any private gate or bars or along any other ground, near said road, to avoid any toll gate, or shall falsely represent himself or herself to any toll gatherer as entitled to exemption from the payment of toll, or shall make an untrue statement as to the distance he or she have traveled or intend to travel on said road, or shall practice any fraudulent means and thereby lessen or avoid the payment of tolls, each and every person concerned in such fraudulent practice shall, for each and every such offense, forfeit and pay to said company the sum of five dollars, to be recovered by said company in any action of debt, before any justice of the peace in any county where the offender may be found; and said justice of the peace, as an additional item of cost in said action, shall tax the sum of five dollars, for the use of said company, to enable them to prosecute such suit. And it shall be lawful for any toll gatherer to stop and detain any person or property going over said road until the toll properly chargeable shall be paid. And any person who shall

Penalties for avoiding tolls.

May detain persons refusing to pay.

use said road, and refuse to pay such toll, shall forfeit and pay to said company, for such use and refusal, the sum of three dollars, to be collected by them by an action of debt, before any justice of the peace of the proper county.

General powers.

§ 10. Said company shall keep said road in good repair, and may construct bridges, dikes and causeways over sloughs and streams, anywhere on the route of said road, as they may deem necessary, but shall not have the right to charge toll on any part of said road not macadamized, planked or graveled and kept in a reasonable state of repair; and they may issue their bonds, signed by the president and countersigned by the secretary of the board of directors, as a majority of said board may, by vote, determine, to the amount of twenty thousand dollars, bearing interest not exceeding ten per cent., per annum, payable semi-annually, or otherwise, at any place in the United States, with or without coupons attached; and the same may be issued in such sums and to run for such periods, not to exceed the duration of this charter, as they may deem best; which said bonds shall, if on the face so specified, be and become a first mortgage on said road and all other property owned by said company; and they shall have like power, in all respects, to issue additional bonds of said company, to the amount of twenty thousand dollars, which, if so expressed on their face, shall constitute a second mortgage or lien on said road and all other property owned by said company.

Issue bonds.

Officers.

Bond and security required.

§ 11. The secretary, treasurer, and such other officers and agents of said company as the board shall direct, before entering upon the discharge of their duties, shall execute a bond, payable to the president and directors of said company, in such sum and with such security as the board may direct, conditioned for the faithful performance of all duties that may be enjoined upon them by the by-laws, rules and regulations of said company, or that may pertain to the duties of his said office or appointment.

May contract with ferry companies.

§ 12. The said board of directors shall have the power to make contracts with any ferry company now incorporated or to be hereafter incorporated, exercising franchises over the Mississippi river, opposite the said city of Clarksville: *Provided*, said contracts are not inconsistent with the objects of this act or the laws of this state.

May locate road

§ 13. The said board directors, by and with the consent of the board of supervisors in counties adopting township organization, or the county court in counties not adopting organization, shall have the right to locate their said road on the line of any public road, and occupy the same, between the Mississippi river and said town of Pittsfield; and when the same shall have been constructed, according to the provisions of this act, the said corporation shall have exclusive control over the same, and be alone liable to keep the same in repair.

§ 14. The shares of stock in said company shall be deemed personal property, and shall be transferable in such manner as shall be prescribed by the by-laws of the company. Any person becoming a stockholders, by assignment, or by purchase under execution against any stockholder, shall succeed to all the rights and privileges, be subject to all the liabilities which belonged to the original holder of said stock: *Provided*, that said company shall hold a first lien on said stock for all the debts and liabilities of said stockholder to said company.

Stock deemed personal property and transferable.

§ 15. The liabilities of said company shall never, at any time, exceed the cost of the construction of said road, nor shall any stockholder be liable for more than the amount of his stock.

Liability of stockholders.

§ 16. If any agent, treasurer, toll gatherer, or other person in the employ of said company, into whose custody or possession any of the moneys of said company may come, shall convert any of such moneys to his own use, he or they shall be deemed guilty of embezzlement, and shall be punished in the same manner as in case of larceny, and to the extent, and the same shall be no bar to a civil suit for the said moneys.

Embezzlement of funds.

§ 17. Any person who may willfully injure or obstruct said road, its bridges, causeways, or appendages, shall be deemed guilty of a misdemeanor, and shall forfeit, to the said company, three fold the amount of damages sustained by such injury or obstructions; and all penalties herein mentioned may be recovered by said company, in an action of debt, before any justice of the peace or other court having jurisdiction; and the court, in every action in which a judgment shall be recovered by said company, shall, in addition to the ordinary costs, assess and tax against the defendant, to be collected as part of said judgment, for the use of said company, the sum of five dollars.

Injury to road, penalty for.

§ 18. Said company may extend their said road, from any point on the line thereof, as authorized by this act, or build a branch or branches therefrom, to any point in the counties of Pike and Calhoun, in this state; and which said counties, or any town therein, or township thereof, through which said road or any branch thereof may pass, may take stock therein, not exceeding one-half of the cost of construction through said county, town or township, and may issue bonds in payment of any such subscription.

Branch roads.

§ 19. If, for any cause, the annual meeting of stockholders shall not be held, as provided for in section four herein, the said board of directors may call a special meeting of such stockholders, at any time within three months from the day in said section four named, by giving ten days' notice thereof, in some public newspaper printed in this state; and upon any such day it shall be fully competent for such stockholders to proceed as in said section four specified.

Call of meeting.

Levy taxes.

§ 20. All taxes levied or assessed upon the property of said company shall be upon the capital stock of said company actually paid in, at the actual real value of the said stock; which taxes shall be paid by said company and not by the parties holding the stock, and who shall not be liable to be taxed therefor.

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

APPROVED March 9, 1869.

In force March 29, 1869. AN ACT to incorporate a plank or gravel or macadamized road from Red Bud, Randolph county, Illinois, to the Kaskaskia river and for three miles east of same, to be known as the Red Bud Plank Road Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John Brickey, Christiann Hentis, Emil Bergers, William Ralls, Wm. Genbert, John H. Meyer, Robert H. Preston, C. W. Schreiber, Michael Bilger, Luke Muharen, Wm. Nelson, B. C. F. Janssen, Samuel B. Adams, Lewis Parrott, James Wilson, Mathias Huth, Antoine Hegle, James G. Wilson and John T. McBride and Jacob Stutz, and their successors, associates and assigns, are hereby created a body corporate and politic, under the name and style of "The Red Bud Plank Road Company;" and, by that name, may sue and be sued, plead and be impleaded, answer and be answered unto, in all the courts of law or equity; may make and use a common seal, and alter the same at pleasure; shall have the power to do all things necessary for carrying out the provisions of this act, not inconsistent with the constitution of the United States or the constitution of this state, including the right to purchase and condemn lands for the use of said company, as is provided in an act to amend the law condemning the right of way for the purpose of internal improvements, approved June 22d, 1852, and all laws amendatory thereof, or any laws that may be in force for that purpose at any time of any application for such condemnation.

Open books for subscription. § 2. That the incorporators named in the first section of this act, or any five of them, shall be authorized to act as commissioners, for the purposes of opening books for the receiving of subscriptions to the capital stock of said company, at such times and places as they may determine; and they shall require five per cent. to be paid at time of subscription.

Construction of road. § 3. Said company shall have power to construct, in whole or in part, a plank or macadamized road, or to build

a plank and afterwards build a macadamized road, as the interest of the public may seem to require it and their means will permit. The main width of highway shall not be less than sixty nor over one hundred feet; and the graded portion may be determined upon by the board of directors, also the location of said road: *Provided*, that the same shall not vary over two miles to the north or two miles to the south of a line due east from the town of Red Bud, in Randolph county, Illinois, to a point three miles east of the Kaskaskia river.

§ 4. Said company shall have all the privileges and be subject to all the restrictions of any general laws of this state relating to similar corporations: *Provided, however*, that nothing therein shall interfere with the rights herein granted. Privileges.

§ 5. The affairs of said company shall be managed by seven directors, who shall be stockholders, and a majority of whom shall constitute a quorum to do the business of the said company, and one of whom shall be president of the board or company. The directors shall elect a secretary, who may also be, *ex officio*, treasurer of said company, and shall give a bond as such, to be approved of by the board of directors. The said directors shall be chosen by the stockholders of said company, as soon as (\$5,000) five thousand dollars of the stock is subscribed. Directors and other officers of the company shall continue in office for the space of one year and until their successors shall be chosen and qualified. All elections shall be by ballot, and each share shall be entitled to a vote; the holder thereof may vote either in person or by proxy. The first election shall be held at [a] time and place named by said commissioners, they first giving four weeks' public notice of same; but all subsequent elections shall be held and regulated according to the by-laws of the company. Whenever any vacancy shall happen in the board of directors, such vacancy shall be filled, for the remainder of the year, by the remaining directors. Powers of the directors.

§ 6. Upon the election of directors and organization of their board, the said commissioners shall deliver to said directors all moneys received by them as subscriptions to stock, the books of subscription and all other property of said company. Commissioners to pay over all moneys.

§ 7. That said corporation is authorized, as soon as the board of directors are [is] elected, to commence the construction of said road; and, as soon as one mile is complete, they may erect toll gates thereon, and collect reasonable tolls for same: *Provided*, that the tolls shall be so regulated that the net profits of said company shall never exceed ten per cent. per annum; and in case it should, at any time, the overplus shall be expended upon the improve- Erect toll-gates.

ment of the road and the necessary gates and toll houses, and for no other purpose whatsoever.

Amount of
capital stock.

§ 8. The capital stock of said company may be fifty thousand dollars (\$50,000), with the privilege of increasing it to one hundred thousand dollars (\$100,000), whenever a majority of the stockholders shall desire it. Said capital stock shall be divided into shares of twenty-five dollars each. Said company shall have power to borrow any sum of money to aid in said improvement, not exceeding two-thirds of stock actually subscribed, and may issue their bonds for the payment of same, not to bear over ten per cent. interest, which bonds shall be signed by the president and secretary, and shall have a lien upon all the property of the company.

Books open for
inspection.

§ 9. That all books of said company shall be open, at all times, to the inspection of any of the stockholders, and shall show, as fully as can be, the affairs of said company.

Stock shares
transferable.

§ 10. That no stock shall be considered transferred until it is transferred upon the books of the company, and no transfer shall be made upon the books without the approval of the board of directors; and said directors, before allowing said transfer to be made, shall first take good and sufficient security from the purchaser for his or her faithful payment of same whenever called upon, according to the by-laws of said company; and, for failure so to do, each director shall become personally responsible, as security, for the payment of such stock: *Provided*, that any member of the board dissenting and entering his protest, or, if absent, protests at next meeting, shall not be considered liable.

Construction of
act.

§ 11. That nothing herein contained shall be so construed as to prevent the county court of said Randolph county from applying a portion of the labor of said county upon this road, same as other roads.

Red Bud may
take stock.

§ 12. *Be it further enacted*, that the town of Red Bud is hereby authorized to subscribe to the capital stock, purchase bonds or make appropriations to said company, in any amount, not exceeding thirty thousand dollars (\$30,000)—the same being first left to the legal voters of the town of Red Bud, at an election to be held for that purpose; and if at said election it shall appear that a majority of votes are in favor, then the corporate authorities of the town of Red Bud shall have the power to adopt all necessary regulations to enable them to faithfully carry out the provisions voted for, as are granted like corporations for like purposes.

Stockholders'
liability.

§ 13. No stockholder, whether corporate or natural person, shall be liable for more than the amount of stock subscribed and remaining unpaid.

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

APPROVED March 29, 1869.

PLANK ROADS—NEW PRIVILEGES.

AN ACT to vacate the charter of the Joliet Plank Road Company, and to In force March
dispose of the property thereof. 31, 1869.

WHEREAS, the Joliet Plank Road Company, a corpora- Preamble.
tion heretofore created by virtue of certain general and
special laws of this state, and certain proceedings had in
pursuance thereof, has expressed its desire to surrender all
its corporate powers, franchises and privileges and to ter-
minate its corporate existence; therefore,

SECTION 1. *Be it enacted by the People of the State of* Dissolution.
Illinois, represented in the General Assembly, That the
Joliet Plank Road Company, a corporation heretofore crea-
ted under and by virtue of the laws of this state, be and the
same is hereby declared to be dissolved, to all intents and
purposes: *Provided, however,* that the passage of this act
shall not affect any legal or equitable liabilities of said
company, its stockholders or officers, if any such there be
now existing: *And, provided, further,* and the force and
effect of this act is upon the express condition that the
board of directors of said company, by resolution, to be en-
tered upon its records, concurring with a majority of the
stockholders thereof, shall first assent to the surrender of
its powers and franchises.

§ 2. The board of directors shall, at any time before the Directors to
dissolution provided for in section first, have the power to provide for sale
provide, in any manner they may indicate by resolution, of property.
for the sale of the property, real and personal, of said cor-
poration, the payment of its debts, and the distribution of
the surplus of its assets, if any, after such payments,
amongst the stockholders.

§ 3. This act shall go into effect from and after its pas-
sage.

APPROVED March 31, 1869.

AN ACT to amend the several acts to aid the Jonesboro Plank Road In force March
Company. 15, 1869.

SECTION 1. *Be it enacted by the People of the State of* Vacate road.
Illinois, represented in the General Assembly, That all
that part of the road of the Jonesboro Plank Road Com-
pany lying east of the west half of the northeast quarter of
section thirty (30), in township twelve (12) south, range
two (2) west of the third principal meridian, be and the
same is hereby vacated.

Duration of corporation. § 2. That said company shall exist and continue until the fourth day of July, A. D. 1890, and enjoy all the rights, privileges and immunities heretofore conferred by the several acts of the legislature in aid of said company.

Penalties paid to treasurer of company. § 3. That all penalties which may be recovered by said company, under any law of this state, shall be paid into the treasury of said company, any law to the contrary notwithstanding.

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

APPROVED March 15, 1869.

In force March 30, 1869. AN ACT in relation to the acts concerning the Randolph County Plank Road Company.

Privileges. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the powers and privileges conferred by the act approved February 11th, 1853, and the amendments thereto, approved February 28th, 1854, concerning the Randolph County Plank Road Company, are hereby extended to and conferred upon James P. Craig and James A. Smith, their associates, successors or assigns. That the right and title to the road, road-bed, right of way, bridges, toll houses, real estate and franchises pertaining to said plank road, in Randolph county, in this state, or so much thereof and such parts thereof as were conveyed by Henry Hartman, by his deed, dated the 11th day of November, 1867, to James P. Craig and James A. Smith, subject to the mortgage claim thereon of John Swanwick, the purchaser of said plank road, etc., under the sale made by virtue of the act approved February 24th, 1859, be and is hereby confirmed to said James P. Craig and James A. Smith, their associates, successors or assigns, who shall be entitled to the powers and privileges, etc., of said Randolph County Plank Road Company, be deemed the successors, and who may sue and be sued, contract and be contracted with, by that name, and shall be subject to all the liabilities of said company, as are conferred and imposed by the acts hereinbefore mentioned. And said persons, their successors or assigns, may select or appoint their own officers, to control and regulate the affairs of said company.

Corporate powers.

General powers.

§ 2. Said Randolph County Plank Road Company is hereby bound to keep the road and bridges on the route between the city of Chester and the village of Randolph, in said county, in good repair and in good condition, to accommodate the travel passing over the same; and, for that purpose and to that end, is hereby authorized and em-

powered to improve and keep up the road on said route, by the use, in whole or in part, of plank, gravel and clay, or by converting said plank road, in whole or in part, into what is known as a macadamized pike.

§ 3. The tolls or charges for travel, to be charged and collected by said company for travel on and over said road, shall be the same provided for in the 8th section of the aforesaid act, approved February 11th, 1853, and the amendment thereto, approved February 24th, 1859; and said company shall have all the benefits and remedies provided for and stipulated by said sections and the other sections of the several acts hereinbefore mentioned; and this act shall be in force from and after its passage.

Rates of fare.

When set to take effect.

APPROVED March 30, 1869.

PNEUMATIC DISPATCH COMPANY.

AN ACT to incorporate the Pneumatic Dispatch Company.

In force March 30, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Charles B. Farwell, Robert L. Fabian, A. C. Hessing, D. J. Schuyler, W. H. Miller, ———, their associates and successors, are created a body politic and corporate, by the name and style of "The Pneumatic Dispatch Company," for the purpose of constructing and operating pneumatic ways under the streets, alleys, avenues or rivers of the city of Chicago, and under any of the highways of the county of Cook, with suitable approaches, and all convenient appendages and structures for the same. Said company shall have power to make and use a common seal, and the same to alter and renew at pleasure, and such other powers, rights, privileges and immunities as may be necessary or useful for the purposes of this act.

Corporators.

Name and style.

Corporate powers.

§ 2. The capital stock of said company shall be two hundred thousand dollars, to be divided into shares of one hundred dollars each; and it may be increased, from time to time, as a majority of the shareholders shall direct, and shall be issued and transferred in such manner and upon such conditions as the directors of the said company shall prescribe.

Amount of capital stock.

§ 3. The corporate powers of 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 nine, as the stockholders of said company may from

Powers of the directors.

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 until their successors are elected and qualified. They shall elect one of their number president of the said company, and may fill any vacancy in the said board, occasioned by death, resignation or otherwise; and may make such rules, by-laws and regulations, and appoint such officers and servants as they, from time to time, deem expedient. The corporators therein named shall constitute the first board of directors, who may exercise all the powers of such board, and who shall hold their offices until their successors are elected and qualified.

First board of directors.

Construction of roads.

§ 4. The said corporation shall have the right of constructing and operating pneumatic ways or tubes under any of the streets, alleys, avenues, canals or rivers of the city of Chicago, and under any of the highways in the county of Cook; and, for that purpose, may acquire and hold real estate necessary for the construction of said pneumatic ways or tubes, approaches, appendages and structures; and, for such purposes, shall have and may exercise all the powers conferred by any of the laws of this state for acquiring right of way for railroads, public roads or other public ways, under which the said corporation may take and acquire property theretofore taken or acquired for such uses, as well as other property: *Provided*, the said corporation shall not interfere with the water or gas pipes or sewerage of the city of Chicago, so as to materially injure or impair the same.

Right of way.

May borrow money.

§ 5. The said corporation may borrow money, at any rate of interest, and issue its bonds or other evidences of indebtedness, bearing such rate of interest, 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 the property, tolls and franchises, in such manner as said directors may think fit, and may sell such bonds or other evidences of indebtedness, at any rate of discount agreed upon by said directors.

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

APPROVED March 30, 1869.

PRINTING AND PUBLISHING COMPANIES.

AN ACT to incorporate the Carroll County Printing Association.

In force March 31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John R. Howlett, John M. Adair, Adam Nase, James Compton, Henry A. Mills and Merritt D. Welch, and their successors, be and they are hereby constituted a body politic and corporate, by the name and style of "The Carroll County 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 and 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.

Corporators.

Name and style.

Corporate powers.

§ 2. The business and objects of said corporation shall be to publish, in the county of Carroll, either at Lanark or Mt. Carroll, or at both places, a first class newspaper, and, as a secondary and appurtenant matter connected therewith, a job printing office, book binding and reading room.

Objects of the corporation.

§ 3. The capital stock of said company shall be, at first, five thousand dollars, with the privilege of increasing the same to twenty thousand dollars; said capital to be divided into shares of fifty dollars each. In all elections or questions to be decided by a vote of said company, every stockholder shall be entitled to vote, either in person or by proxy, and cast one vote for every share he or she may hold.

Amount of capital stock.

§ 4. Said company shall have six directors, to be elected annually, one of whom shall be president; and said president and directors shall have management of the concerns of the company, subject to such by-laws as said company or directors may adopt.

Election of board of directors.

§ 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.

Duties of the commissioners.

§ 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

Rules and regulations.

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 March 31, 1869.

In force March
8, 1869.

AN ACT to incorporate the Herald Printing Company.

Corporators.	SECTION 1. <i>Be it enacted by the People of the State of Illinois, represented in the General Assembly,</i> That John F. Cadogan, Henry J. Gardner, Albert Demaree and Isaac G. Huffman, and their associates and successors, are hereby created a body corporate and politic, by the name, style and
Name and style.	title of "The Herald Printing Company," with perpetual succession; and, by that name, be and are hereby made
Corporate powers	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
Amount capital stock.	act. The capital stock of said company shall be fifty 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 Quincy, county of Adams, 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, bindery 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.
Objects of the corporation	§ 2. <i>And be it further enacted,</i> that the said company shall, also, have power to manufacture, in the city of Quincy 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.
May manufacture paper.	§ 3. <i>And be it further enacted,</i> 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
May purchase and hold real estate.	

other legal process, to secure and satisfy debts due to the said company.

§ 4. *And be it further enacted*, that the said company Erect buildings 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 Quincy, 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 Herald Printing Company. All deeds of such real estate shall be made to said Herald Printing 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.

§ 5. *And be it further enacted*, that said company shall Lease property. 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 and binding business, as aforesaid.

§ 6. *And be it further enacted*, that said company shall Rules for government. have power to make all needful and necessary rules for the regulation and direction of its officers, not inconsistent with the constitution of this state nor the constitution of the United States, and, when so made, they shall be so 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.

§ 7. *And be it further enacted*, that whenever stock to When to commence business. 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 and appoint a president, secretary and treasurer, and such other officers and servants as they may deem necessary, and fix their compensation, and the 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 du-

ring the time they were stockholders, aforesaid, and for six months after the assignment of the stock so held [by] them respectively.

Certificate of
publication, le-
gal and valid.

§ 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.

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

APPROVED March 8, 1869.

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In force March 26, 1869. AN ACT to incorporate the Western Free Will Baptist Printing Establishment.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That A. H. Chase, R. Dunn, H. E. Whipple, D. D. Garland, R. Clark, Benj. Chase, D. M. Graham, A. H. Huling, J. Calder, G. P. Blanchard, E. Knowlton, J. B. Drew and H. G. Woodworth, their associates and successors, be and they hereby are incorporated and made a body politic and corporate, by the name and style of "The Western Free Will Baptist Printing Establishment;" and, by that name, may sue and be sued, prosecute and defend, to final judgment and execution, and shall have and enjoy all the powers and privileges and be subject to all the liabilities incident to corporations of a similar nature.

Corporate name
and powers.

Objects of the
corporation.

§ 2. That said corporation be and the same is hereby authorized and empowered to carry on the business of printing and publishing a newspaper, under such title as the corporators may decide upon, together with books, pamphlets and periodicals, and such other branches of business as may be necessarily connected therewith, in the city of Chicago; and may erect, own and maintain suitable buildings therefor; may hold real estate to any amount not exceeding two hundred feet front on any street, in the city of Chicago; and may receive, hold and possess all such personal property as may be necessary to preserve and execute the purposes of this corporation, including all such gifts, donations, bequests and legacies as may, from time to time, be made to such corporation; may make proper rules, regulations and by-laws for the management of the interests and concerns of said corporation; may appoint such officers as they may think expedient, and prescribe their powers and duties.

§ 3. That R. Dunn, A. H. Chase and D. M. Graham, First meeting.
or any two of them, may call the first meeting of said corporation, to be held in Chicago, in this state, by publishing previous notice thereof in the Christian Freeman, published at Chicago, at least ten days before said meeting—when the time and manner of holding future meetings may be determined by laws adopted, and any business relating to the interests of said corporation may be transacted.

§ 4. The legislature may alter and amend this act, and may repeal this charter, for a violation thereof. Violations of charter.; repeal of.

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

APPROVED March 26, 1869.

AN ACT to incorporate the Western Presbyterian Publishing Company. In force March 25, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Mark Corporators.

Skinner, William Bross, B. H. Raymond, Elliott Anthony, J. McGregor Aroms, Henry W. King, Oliver Lee, Joseph N. Barker, B. W. Thomas, Daniel Jones, D. J. Lake, Wm. H. King, H. N. Hibbard, James P. Root, E. S. Joham, Peter Page, William Sprague and Benjamin V. Page, and their successors, associates and assigns, are hereby created a body politic and corporate, under the name and style of "The Western Presbyterian Publishing Company;" and, Name and style.
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 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. Corporate powers.

§ 2. The capital stock of said company shall be five hundred thousand dollars, and may be increased to one million, which shall be divided into shares of one hundred dollars each, which shall be issued, registered, certified and transferred on the books of the company; 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, either in person or by proxy. Amount of capital stock.

§ 3. The corporate powers of this company shall be vested in a board of trustees, of not less than five nor more Powers of the directors.

than fourteen, to be elected, annually, by the stockholders ; but if, for any cause, annual election shall not be held, none of the corporate powers, rights, privileges or franchises of said company shall be impaired, but the board of trustees for the time being shall hold their offices until their successors are elected and qualified. The board of directors shall immediately after their election, elect one of their number president and one vice-president ; they shall appoint a secretary and treasurer, and such other officers as they may deem necessary.

Directors.

§ 4. William Bross, Mark Skinner, Elliott Anthony, Henry W. King and H. N. Hibbard and James P. Root shall constitute the first board of directors of said company.

To establish
by-laws and
regulations.

§ 5. Said company shall have power to make and enforce all such by-laws, rules and regulations, not inconsistent with the constitution and laws of the United States and this state, as may be necessary for the well ordering, prosecution and management of the affairs of said company.

Object's of the
corporation.

§ 6. The objects of this corporation shall be to establish a publishing house, in the interest of the Presbyterian Church, in the city of Chicago, and for the dissemination of religious information ; and in order to carry out said objects, said company shall have power to print, publish and circulate religious books, pamphlets, tracts and newspapers ; and may buy and sell books ; and may establish depositories or branch houses in any of the states or territories or foreign countries ; and may for the purpose of carrying on their said business, purchase and hold real estate or lease the same, and may have power to exchange the same or sell and convey the same.

Open books for
subscription.

§ 7. The board of directors of said company shall open books of subscription to the capital stock of said company, at such times and places as they may deem proper ; and said subscriptions to said stock may be paid in installments, at such times and in such amounts as the said board of directors may determine ; and said company may commence business whenever the said board of directors may determine.

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

APPROVED March 25, 1869.

AN ACT to incorporate the Western World Publishing Company.

In force March
27, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That C. J. Richardson, Wm. M. Johnson, H. M. Hebbard, Daniel Sheppard, James P. Root, and Daniel J. Schnyler, 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 Western World Publishing Company," 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 two 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, Cook county, and state of Illinois, and be invested in such engines, 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 print and publish a newspaper by the title of "The Western World," and to manufacture in the said 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 to be used, mainly, in the printing, publishing, binding and manufacturing business, as aforesaid, 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. The stock may be increased, by a vote of the directors, to an amount not exceeding five hundred dollars.

Corporators.

Name and style

Corporate powers.

Amount capital stock.

Objects of the corporation.

May possess real and personal estate.

Stock may be increased.

Lease property. § 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 sublet 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.

By-laws. § 5. The said company shall have power to make all needful and necessary by-laws and rules for the management and direction of its affairs.

Appointment of officers. § 6. Whenever stock to the amount of fifty thousand dollars has 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.

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 stockholders, at all reasonable times.

Annual election of directors. § 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 the 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.

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

APPROVED March 27, 1869.

PUBLIC PEACE.

AN ACT to prohibit gambling and the sale of spirituous liquors within certain boundaries adjacent to Blackburn University. In force March 31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That no gambling establishment, liquor or beer saloon, or place of any kind, for the sale or giving away of malt or spirituous liquors as a beverage, shall be allowed within the following boundaries, adjacent to Blackburn University, in Macoupin county, to-wit: Beginning at the junction of Chestnut street and Second South street, at the southeast corner of lot number twelve, in block number ten, of Goodel's addition, in the original plat of Carlinville, in said county; running thence due east one mile; thence north one mile; thence west to the eastern line of the Chicago, Alton & St. Louis Railroad track, thence on the line of the said railroad track, southward, to its intersection with the north line of lot number three, in block number eleven, Edwards', Smith's and McAfee's addition, on the west and south, to the town of Carlinville; thence in a straight line eastward to the northeast corner of lot number six, in the Oakland addition to said town; thence south, on the west line Chestnut street, to the place of beginning.

Prohibit sale
of liquor.

§ 2. Any person who shall open or keep, or be in any way connected with any such establishment named in the preceding section, within the boundaries therein described, shall be liable to action before any justice of the peace, in the city of Carlinville, upon the complaint of any trustees of said Blackburn University, or of any other person who may reside within the boundaries before described, or to indictment and trial in the circuit court of Macoupin county; and, upon conviction, shall be fined not less than twenty-five dollars nor more than fifty dollars, with costs of suit, for the first offense; and for every subsequent offense, not less than fifty dollars nor more than one hundred dollars, with costs; and upon failure to pay such fine, shall be imprisoned in the county jail, for any term not less than ten days nor more than ninety days, at the discretion of the court. Said fine, when collected, shall be paid into the treasury of the city of Carlinville, to be used in such manner as the authorities of said city shall direct.

Punishment o
violations.

Fines and for-
feitures, how
applied.

§ 3. Nothing contained in the charter of the city of Carlinville shall be so construed as to conflict in any manner with the provisions of this act.

Construction of
act.

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

APPROVED March 31, 1869.

In force March 31, 1869. AN ACT to prohibit the sale of any vinous, spirituous, malt or mixed liquors within the corporate limits of the town of Buda, in the county of Bureau.

Prohibit sale of ardent spirits. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter it shall not be lawful for the president and trustees of the town of Buda, in Bureau county, Illinois, to grant any license to any person or persons authorizing the sale of any vinous, spirituous, malt or mixed liquors, within the corporate limits of the said town.

Powers. § 2. That, in addition to the powers conferred upon the president and trustees of the said town of Buda, by chapter twenty-five (25) of the Revised Statutes of 1845, under which the said town is incorporated, that the said president and trustees shall have full power to prevent and prohibit the introduction, keeping, manufacturing or selling of any vinous, malt, spirituous, mixed or intoxicating liquors within said town and within one (1) mile of the limits thereof, except for medicinal, chemical and mechanical purposes, and to prevent the giving the same away, with a view to evade any penalty which shall be provided for the unlawful sale of such liquors.

Prevent introduction or manufacture liquor. § 3. That the said president and trustees shall have full power to make all ordinances which shall be deemed by them necessary and proper to effectually prevent the manufacturing, keeping or selling of any vinous, spirituous, malt, spirituous or mixed liquors within the corporate limits of the said town of Buda and within one (1) mile of the limits thereof, except for the purposes specified in section two (2) thereof: *Provided, only,* that such ordinances shall not contravene with the constitution of the state of Illinois or of the United States.

§ 4. This act to be in force from and after its passage.
APPROVED March 31, 1869.

In force March 25, 1869. AN ACT to incorporate the Henry County Detective and Protective Society.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Richard Mascall, John Piatt, A. W. Perry, S. D. Alfred, A. J. Johnson, A. Gould, H. O. Sleight, Lewis Shearer, J. C. Smiley, C. C. Blish, D. Bonar, and all others who now are or may hereafter become members of the Henry County Horse Thief Detective Society, are hereby constituted a body corporate, to be styled "The Henry County Detective and Protective Society," with perpetual succession; may

Name and style.

sue and be sued, plead and be impleaded, answer and be answered unto, in all places; and be recognized in all courts of law or equity within the state of Illinois and within the United States; shall have a common seal, to be kept by the recording secretary of said society; may hold and enjoy, by gift, grant, demise, purchase or otherwise, real or personal estate, not to exceed at any one time, sixty thousand dollars, and may loan, sell or dispose of the same, or any portion thereof, in such manner and at such time as said society may deem best for its own interest.

Corporate powers.

§ 2. The objects of this society shall be to detect thieving of all classes; to pursue and arrest thieves, and to bring them to a just punishment; and to aid the members of this society, in case of loss by theft or otherwise, to such an amount as shall be prescribed by the by-laws of the society.

Objects of the corporation.

§ 3. The officers of the society shall consist of one president, twenty-four vice-presidents, recording secretary, corresponding secretary, treasurer, five trustees, and twenty-four captains, to be elected at the annual meeting of said society, on the second Saturday in November, of each year.

Officers.

§ 4. This society shall have full and unqualified power to make and adopt, for its government and maintenance, such constitution and by-laws as its members may deem proper, right and just: *Provided*, the same shall not conflict with the constitution or the laws of this state or the United States.

§ 5. The act of incorporation, also the constitution and by-laws of this association, shall be received in any courts of this state or the United States, and shall be liberally construed for the purposes therein contained.

Evidence of act.

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

APPROVED March 25, 1869.

RAILROAD COMPANIES—INCORPORATED.

AN ACT to incorporate the Apple River Valley Railroad Company.

In force June 19, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* H. S. Townsend, A. Edgerton, jr., William Goldthorp, Jno. Speer, Robert Dawson, J. B. Reynolds, Jas. Martin, S. Jeffers, N. B. Craig, John Nesbitt, J. N. White, William Davidson, and all such persons as shall hereafter become stockholders in the company hereby incorporated, shall be

Corporators.

and are hereby constituted a body politic and corporate, by the name and style of "The Apple River Valley Railroad 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; 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, and of acquiring, by purchase or otherwise, and of holding and conveying real and personal estate, which may be needful to carry into effect fully the purposes and objects of this act.

§ 2. The said corporation is hereby authorized and empowered to survey, locate, construct, complete, alter, maintain and operate a railroad, with one or more tracks or lines of rails, from a point in the corporate limits of the city of Galena, in the state of Illinois, to a point on section (9) nine, in township twenty-six north, of range two east of the fourth principal meridian, in the county of Jo Daviess, and state of Illinois, and thence to the town of Savanna, in Carroll county, in said state.

§ 3. The said corporation shall have the right of way upon, and there is hereby vested in said corporation for the uses and purposes aforesaid, all the right of way, franchises, grading, embankments, crossings, bridges, culverts and improvements, heretofore owned, acquired or constructed by the state of Illinois, between the said city of Galena and town of Savanna, in the prosecution of the enterprise of constructing a railroad between the said city of Galena and the said town of Savanna: *Provided*, that said right of way, franchises, grading, embankments, crossings, bridges, culverts and improvements, shall not have heretofore been disposed of by the state of Illinois and its title thereto divested, that the same nor any portion thereof cannot now be disposed of by said state.

§ 4. Said corporation shall have the right of way upon and may appropriate to its sole use and control, for the uses aforesaid, land, not exceeding two hundred feet in width, through its entire length, and may enter upon and take possession of and use all and singular any lands, streams and materials, of every kind, for the location of said railroad and necessary depots and side tracks, station grounds, engine houses and work shops, and for the purpose of constructing bridges, dams, embankments, excavations, spoil banks, necessary for the construction, maintenance, preservation and operation of said road. All such lands, waters, materials and privileges belonging to the state are hereby granted to said corporation, for said purposes; but when

Name and style.

Corporate powers.

Survey and location of road.

Right of way.

May appropriate land for its own use.

owned or belonging to any person, company or corporation, and cannot be obtained by voluntary grant or release, the same may be taken and paid for, if any damages are awarded, in the manner provided by the general laws now in force, or which may hereafter be in force, providing for the condemnation of lands for purposes of internal improvement: *Provided*, that nothing in the section contained shall be so construed as to authorize the said corporation to interrupt the navigation of any streams crossed by said railroad: *Provided*, that the provisions of this act shall not impair or interfere with the rights, powers, privileges, immunities and franchises of any railroad company or corporation now existing by virtue of the authority of the state of Illinois; and that the right of way, franchises, grading, embankments, crossings, bridges, culverts and improvements, heretofore owned, acquired or constructed by the state of Illinois, between the city of Galena and the town of Savanna, not heretofore disposed of by the state, shall inure to the benefit of the railroad company or corporation who shall first enter upon, construct and operate and maintain a railroad over and upon the same.

Condemn land.

§ 5. The capital stock of said corporation shall be one million dollars, which may be increased, from time to time, to any sum not exceeding the entire amount expended in the construction and equipment of said railroad, divided into shares of one hundred dollars each, which shall be deemed personal property, and may be issued 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 sums subscribed by stockholders in such manner and on such terms as they shall deem proper; and on 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 such delinquents may, after thirty days public notice, be sold, at public auction, under such rules as said board of directors may adopt; the surplus money, if any remains, after deducting the payments due, with the interest thereon, and the necessary costs of sale, to be paid to such delinquent stockholders. The board of directors hereby appointed shall cause books to be opened for subscriptions to said stock in such manner and at such times and places as they shall direct.

Amount capital stock.

Open books for subscription

§ 6. All the corporate powers of said company shall be vested in and be 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 twelve stockholders, to be chosen, annually, by the stockholders, each share having one vote, to be given in person or by proxy—the directors elected to hold office until their successors are elected and qualified. Vacancies in the board may be filled by a vote

Corporate powers.

Board of trustees.

of two-thirds of the directors remaining; such appointees to remain in office only until the next regular election of directors: *Provided, however*, that it shall not be necessary to hold an election of directors until one-half the capital stock herein provided for shall have been subscribed for; the directors herein constituted holding their office until five hundred thousand dollars of the capital stock shall have been subscribed, unless the board of directors, as herein constituted, shall, before that time, order an election. Nine directors shall constitute a quorum; and the acts of a majority of the board of directors shall bind the entire board.

Quorum to do business.

First board of directors.

§ 7. The following named persons shall constitute the first board of directors, viz: H. S. Townsend, A. Edgerton, jr., Wm. Goldthrop, John Speer, Robert Dawson, J. B. Reynolds, James Martin, S. Jeffers, N. B. Craig, John Nesbitt, J. W. White, Wm. Davidson, whose powers shall commence and be in full force from and after the day this act shall become a law.

General powers.

§ 8. The president and directors for the time being are hereby authorized and empowered, by themselves, their officers or agents, to execute all the powers herein granted, for the purpose of surveying, locating, constructing, completing, altering, maintaining and operating said railroad, and for the transportation upon the same of persons, goods, wares and merchandise, with all such powers and authority, for the control and management of the affairs of said company, as may be necessary and proper to carry into effect the meaning and intent of this act.

Rules for government.

§ 9. 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 interests of said company: *Provided*, that the same be not repugnant to the constitution and laws of this state or of the United States or repugnant to this act. The board of directors shall have power to establish such rates of transportation, for the carriage of persons and property upon said railroad, as they shall from time to time deem meet and proper, and collect the same, for the use of the company. The construction of said road, its equipment and management, shall be according to such rules as may by the board of directors, from time to time, be established.

Penalty for trespass on property.

§ 10. Any person who shall commit any trespass upon any of the property of said company shall be liable to said company for damages, and, in case human life shall thereby be endangered, shall be liable to indictment, and upon conviction may be sentenced to the penitentiary for a term not exceeding five years, or imprisoned in the common jail of the county wherein said offense was committed for a term

not less than three months, in the discretion of the jury by whom such offender shall be tried.

§ 11. Said corporation may construct their said railroad over or across any stream of water, road, railroad or highway, which the route selected for said road shall intersect; but the road, stream or highway, thus intersected, shall be restored, as far as practicable, to its former usefulness. Construction of railroad.

§ 12. For the purpose of raising money for the construction or equipment of said road, said company may borrow money and issue its bonds therefor, in sums of not less than five hundred nor more than one thousand dollars each, at the rate of seven per cent., or less, per annum, and secure the same by a mortgage upon the franchise and effects of said railroad. May borrow money.

§ 13. The corporation hereby created shall have power, by and with the consent of the owners of three-fourths of the capital stock of said company, to consolidate with any other corporation, upon such terms as may be agreed upon by the contracting parties. Power to consolidate road.

§ 14. The said corporation shall, at all times, transport wood, coal and all kinds of fuel, whenever the same shall be offered for transportation, at rates not exceeding the rates that shall be charged by said corporation for the transportation of other freights of a similar class. Transportation of freight.

§ 15. This act shall be a public act, and shall be favorably construed to effectuate the purposes therein expressed. Construction of road.

APPROVED March 27, 1869.

AN ACT to incorporate the Bardolph Branch Railroad Company.

In force March 6, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Holmes Lowe, Thomas Jackson, George Swink, John W. Moore, W. J. Merritt, O. M. Hoagland, James Keach, N. H. Jackson, Martin Hoagland, W. S. Hendricks, Asa Russell, C. W. Dallam, W. F. McCandless, and their associates, successors, heirs and assigns, be and they are hereby created a body corporate, by the name of "The Bardolph Branch Railroad Company," with powers to build, construct, maintain and use a railroad, from Bardolph to New Philadelphia, in the county of McDonough, and from said Bardolph to Industry, in said county, with powers to extend the same to other points, not exceeding thirty miles, and to unite or consolidate with any other railroad company or companies, forming a continuous line, with a capital stock of one million of dollars; to divide, transfer and increase the same, at pleasure; to borrow money and pledge or mortgage its property or franchises; to condemn, Name and style.

Amount capital stock.

according to law, lands necessary for the track of said road or roads 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 or railroads.

Corporate powers. § 2. All the corporate powers of said company shall be vested in and exercised by a board of directors and such other officers and agents as they shall appoint. The board of directors shall consist of thirteen stockholders, and shall be annually chosen, by ballot, by the stockholders of said company—each share having one vote, to be given in person or by proxy; said directors to hold their offices for one year or until other directors are elected; and shall have power to make and establish such by-laws, rules and regulations as may be necessary for the well ordering of the affairs of said company: *Provided*, that the same be not repugnant to the constitution of the United States or of this state: *And provided, also*, that the thirteen individuals first named in the first section of this act shall constitute the first board of directors of said company.

Term of office. Time of completion of road. § 3. The said corporation shall commence one of said roads within three years, and shall complete both within ten years.

§ 4. This act shall be liberally construed for the purposes and objects herein named, and shall be deemed and taken as a public act, and shall take effect and be in force from and after its passage.

APPROVED March 6, 1869.

In force March 15, 1869. AN ACT to incorporate the Beardstown, Chandler-ville and Mason City Railroad Company.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Horace Billings, E. B. Leonard, Daniel J. Cole, Charles Chandler, Charles E. Lippincott, Frank Low, James P. Walker, John P. Dick, Lewis H. Davis, John H. Wilborne, William Warnock, jr., H. T. Strawn and F. H. Rearick, are hereby created a body corporate and politic, under the name and style of "The Beardstown, Chandler-ville and Mason City Railroad Company," with perpetual succession; and, under that name and style, shall be capable of suing and being sued, pleading and being impleaded, defended 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;

Name and style.

Corporate powers.

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 Beardstown, through or as near as practicable to the town of Chandlerville, to Mason City. And said company may construct said road with one or more tracks, and shall begin the construction of the same within five (5) years and complete the same within ten (10) years 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 interest 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, subscribe to the capital stock of said company a sum not less than one hundred thousand dollars.

Construction
of railroad.

May change
route.

§ 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 five millions of dollars, to be divided into shares of one hundred dollars each.

Amount capital
stock.

§ 3. The immediate government and direction of said company shall be and is hereby invested 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 direc-

Directors to
manage affairs.

Appointment
of officers.

tor 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 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 Beardstown, Bloomington and Mason City.

Removal of
commissioners.

§ 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.

Objects of the
corporation.

§ 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.

Power to condemn
lands for
right of way.

§ 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 the general laws of this state, now in force or which may hereafter be enacted, providing for the condemnation of land for purposes of internal improvement.

May borrow
money.

§ 7. 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 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.

§ 8. 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. Thirty days' notice shall be given of the time of holding such election; and the election shall be conducted in the same 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 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 getting up the election and the other matters connected with or growing out of such election; but this act shall govern said election as far as it is applicable to them.

Election, where and when held.

Notice of election.

Towns and cities may take stock.

Application of election law.

§ 9. 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.

Duties of the county courts.

§ 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

Compensation for land taken.

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, stream of water, water course, road or highway, intersected or crossed, sufficiently near its former state so as not to materially impair its usefulness.

Rights and
privileges.

§ 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 incorporations," approved November 5, 1849, and the several acts amendatory thereof, are hereby conferred upon the Beardstown, Chandlerville and Mason City 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 by said articles of association qualified and limited.

Stock subscrip-
tions.

§ 12. To further aid in the construction of said road by said company, any incorporated town or township, 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.

Submitted to
legal voters.

§ 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 township 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 ten public places in each town or township (which notice shall 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 subscriptions: *Provided*, that where elections have already been held, and a majority of the legal voters of any township or incorporated town were in favor of subscription to said railroad, then and in that case no other election need be had, and the amount so voted for shall be

Notice of elec-
tion.

subscribed as in the act provided. All 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. Act valid.

§ 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 such 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. Powers of supervisors or of president of trustees.

§ 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. Issue bonds.

§ 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 disbursement 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 Clerk's duties.

Transcript of vote and amount subscribed.

Further duties of clerk.

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.

Taxes paid to
county treasurer

Duties of the
county treasurer

§ 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 [payment of] 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 keep 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 the
president.

§ 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.

Construction
of railroads, etc.

§ 19. The railroad to be constructed by said company to be divided into two divisions—all that portion from Beardstown to Chandlerville to constitute the first division, and the rest of said line to constitute the second division. The immediate supervision and management of the 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

Record of pro-
ceedings.

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 such city, incorporated town or township may be.

§ 20. No stockholder, whether corporate or natural person, shall be otherwise liable under his or their subscription of stock than for the amount of their subscriptions of stock to said company, and according to the calls of the directors, under the condition hereinbefore provided. Stockholders
liability.

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

APPROVED March 15, 1869.

AN ACT to incorporate the Beardstown, Chandlerville and Mason City Railroad Company. In force March
31, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Horace Billings, E. B. Leonard, Charles Chandler, C. E. Lippincott, Daniel J. Cole, Frank Low, James P. Walker, L. H. Davis, H. F. Foster, John H. Spears, John Pritchett, J. C. Bell, D. W. Riner, and their associates and assigns, are hereby created a body politic and corporate, under the name and style of "The Beardstown, Chandlerville and Mason City 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 vested 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 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 Beardstown, through or near as practicable to the town of Chandlerville, to the town of Mason City, and said company may construct said road, with one or more tracks, and shall begin the construction of the same within five (5) years, and complete the same within ten (10) years 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

Corporators.

Name and style.

Corporate powers.

Construction of railroad.

Time of completion of road.

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 the 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 of route is made, subscribe to the capital stock of said company a sum not less than one hundred thousand dollars.

May change
route of road.

Amount capi-
tal stock.

§ 2. The capital stock of said company shall be one 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 two million of dollars, to be divided into shares of one hundred dollars each.

Directors to
manage affairs.

§ 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 notice being given by at least five publications in newspapers in Beardstown and Mason City.

Term of office.

When vacan-
cies occur, how
filled.

Open books for
subscription.

§ 4. The said corporators 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.

§ 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, turnouts, 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 shall deem it necessary to carry out the objects of this act.

General powers
for construction
of road.

§ 6. For the purpose of acquiring the right of way for the construction and maintenance of said railroad, side-tracks, turnouts and grounds for depots, stations, erections and structures and for the purpose of obtaining stone, gravel and other material for building, ballasting or repairing said road, and of obtaining a right of way to said materials, the said company be and are hereby authorized and empowered to take, condemn, and use the same under the provisions of the general laws of this state now in force or hereafter to be enacted in relation to the condemnation of private property for purposes of internal improvement.

Private prop-
erty may be ta-
ken.

§ 7. 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 the 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.

May borrow
money.

§ 8. 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, 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

Payments for
land taken.

crossed sufficiently near its former state, so as not to materially impair its usefulness.

Privileges

§ 9. 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, are hereby conferred upon the Beardstown, Chaudlerville and Mason City 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 by said acts qualified and limited.

Elections for subscriptions of stock.

§ 10. 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

Manner of conducting elections.

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 the county court, or board of supervisors where township organization exists, or the corporate authorities of said county, city or town, to subscribe without unnecessary delay, upon request of said company, for shares to the capital stock of said company, 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 not 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 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.

Bonds may be issued with interest coupons.

§ 11. To further aid in the construction of said road by said company, any incorporated town or township, 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. Towns and cities may take stock.

§ 12. No such subscription shall be made until the question has been submitted to the legal voters of such incorporated 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 township 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 such town or township—which notice shall 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. Submitted to legal voters.

Notice of election.

§ 13. If it shall appear that a majority of all the legal voters of such town or township 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 of 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 town or township, bonds, bearing interest at ten per centum 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. Duties of the president of the board of trustees.

Issue of bonds.

§ 14. 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 Transcripts of votes to other clerk.

statement of the vote given, and the amount so voted to be subscribed, and the rate of interest to be paid.

Duty of clerk.

§ 15. 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.

Taxes paid to county treasurer

Duties of the county treasurer

§ 16. It shall be the duty of the county treasurer to pay out, on the presentation to him of the bonds issued to him by any such town or township, [as] aforesaid, the amount due upon such bonds for interest, and also for principal, where any tax shall be assessed and collected to pay principal, 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 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 percentage for receiving and disbursing said fund as they now receive in collecting and disbursing the school fund.

Duties of the president or supervisor.

§ 17. 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.

Construction of roads in two divisions.

§ 18. The road to be constructed by said railroad company is hereby divided into two divisions, to wit: All that portion of the road between Beardstown and Chandlerville shall constitute the first division, and that portion between Chandlerville and Mason City shall constitute the second division. The immediate supervision and management of the 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 shall hold an election 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 said city, incorporated town or township may be.

Record of proceedings.

§ 19. 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 call of the directors, under the conditions hereinbefore provided.

Stockholders' liability.

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

APPROVED March 31, 1869.

AN ACT to incorporate the Belleville and Mascoutah Railroad Company. In force April 1, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Philip Postell, Andrew Eisenmeyer, Elisha Bagley, George Swagert, Nicholas Perrin, George C. Eisenmeyer, Joseph Schindler, William Mans, Benjamin J. West, Thomas Knoblock, Robert Hughes, William Zimmerman, Hezekiah Morgan, George W. St. John, Newton E. Way, Charles Way, Philip Minger, Miles Ten Eyck and Robert Tyson, and their associates, successors and assigns, are hereby created a body politic and corporate, under the name and style of "The Belleville and Mascoutah 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; 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

Corporators.

Name and style.

Corporate powers.

which are or may be necessary and proper to carry into effect the purposes and objects of this act.

Construction of
railroad, etc.

§ 2. The Belleville and Mascoutah Railroad Company shall have full power and authority to locate and, from time to time, to alter, change, relocate, construct, reconstruct and to fully finish, equip and maintain a railroad, with one or more tracks, from the town of Mascoutah, in St. Clair county, to the city of Belleville, with power to extend the same northwestwardly, to the city of St. Louis, and southeastwardly to connect with or intersect any railroad now in operation, or in contemplation of being established within the state or to any point within the state; and, for this purpose, said company is authorized to lay out its 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 or other material, 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.

General powers.

May enter upon
and take land.

§ 3. The said company, and, under their directors, 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 conveyances as may be requisite and convenient for the purpose 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 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 or 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 of its appurtenances, said com-

pany 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.

§ 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 materials, to be used in the construction of said railroad or 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* and infant, *non compos mentis*, unknown or out of the county 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 by the general laws now in force or which may hereafter be in force providing for the condemnation of land for purposes of internal improvement.

May take and use material for railroad.

§ 5. The capital stock of said company shall be three hundred thousand 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.

Amount capital stock.

§ 6. The capital 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 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 stockholders 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 stockholders.

Stock deemed personal property and transferable.

§ 7. Each share of stock, on which there shall be no unpaid calls, shall entitle the owner to one vote, either in person or by legal proxy: *Provided*, that he or she shall

Stockholders' vote.

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.

Board of 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 a vote of two-thirds of the directors remaining—such appointees to continue in office until the next regular annual election of directors.

Construction of railroad.

§ 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 bonds 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 with extensions, as before mentioned.

Sale of bonds.

Towns and cities may take stock.

§ 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 in 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

Levy tax to pay interest.

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 or 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; and in all cases of election for the purposes aforesaid, at least thirty days' notice of such election shall be given in the manner now prescribed by law.

Submitted to
legal voters.

§ 11. Said company shall have power to connect its railroad with any continuous line of railroad now constructed or hereafter to be constructed in this state, or the state of Missouri, or 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, 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.

Connect with
other roads.

§ 12. Said company shall have power to enter upon and negotiate for any road-bed, whether abandoned or occupied, upon the line of said railroad or extensions, 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.

May purchase
road-bed.

§ 13. Said corporation shall transport firewood and fuel, of every description, over its railroad, whenever the same shall be offered for transportation, at rates as low as the rates said company shall charge for the transportation of other freights of a similar class.

Transportation
of freight.

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

APPROVED April 1, 1869.

In force March 30, 1869. AN ACT to incorporate the Belleville and O'Fallon Railroad Company.

Corporators. SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Samuel B. Chandler, James L. D. Morrison, Joseph Penn, Levi Simmons, B. J. VanCourt, James W. Hughes, Charles Tiederman, Edward Abend, James H. Atkinson, William H. Stewart, Jacob B. Rentehler, Jacob Brosius, Ferdinand Braun, Henry Abend, and all 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 Belleville and O'Fallon 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 purposes hereinafter mentioned, and no further; and, in their corporate name, may sue and be sued, 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.

Survey and locate railroad. § 2. The said corporation is hereby authorized and empowered to survey, locate and construct, complete, alter, maintain and operate a railroad, with one or more tracks or lines of rails, from a point in the city of Belleville to the town of O'Fallon, Saint Clair county, state of Illinois.

May unite with other companies. § 3. That it shall be lawful for said company, by and with the consent of the owners of three-fourths of the capital stock of said company, to unite with any other railroad company which may have been or may hereafter be incorporated by this state, and to grant any such company or companies the right to construct and use all or any portion of the road hereby authorized to be constructed, also, the right to sell, lease or convey the same to said company or companies, or consolidate its stock therewith, and place the management and control of the same under such board of directors, upon such terms as may be mutually agreed upon between the said railroad companies.

Right of way. § 4. The said corporation shall have the right of way upon, and may appropriate to its own sole use and control, for the purposes contemplated herein, land, city or town lots, not exceeding one hundred and fifty feet in width through the entire length of said road; may enter upon and take possession of and use all and singular any lands, lots, streams and materials of every kind for the location of depots and stopping stages, for the purpose of constructing bridges and embankments, excavations, station grounds, turn-outs, engine-houses, machine shops, and other build-

ings and things, for the construction, completing, altering, maintaining, preserving and complete operation of said road; and when the rights of way for said road cannot be obtained by voluntary grant or release from the owner thereof, the same may be taken and paid for, if any damages be awarded, in the manner provided by the general laws now in force providing for the condemnation of land for purposes of internal improvement.

§ 5. The capital stock of said company shall be three hundred thousand dollars, which 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 by the directors of said company, to any sum not exceeding the estimated cost of constructing and equipping said road, which stock shall be divided into shares of fifty dollars each, which shall be deemed personal property, and 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 stocks 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 such delinquents 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 payment due, with the interest and the necessary costs of sale, to be paid to the delinquent stockholders. The board of directors hereinafter named and appointed shall cause books to be opened for subscriptions 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* subscriptions 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.

Amount capital stock.

Stock of delinquents, sale of.

Open books for subscription

§ 6. All the corporate powers of said company shall be vested in and exercised by a board of directors, to consist of not less than nine nor more than thirteen in number, and such other officers, agents and servants as they shall appoint. The first board of directors shall consist of Samuel B. Chandler, Joseph Penn, Henry Abend, Levi Simmons, James W. Hughes, B. J. VanCourt, Edward Abend, William H. Stewart, Jacob B. Rentchler, who shall hold their offices until their successors are elected and qualified. 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; which said annual election shall be held on the first Monday in October, in each year, at Belleville, where the office

Corporate powers.

Board of directors.

Vacancy.

of said company shall be located, thirty days' notice being given in a newspaper printed in said city of Belleville.

Election of
board of direc-
tors.

§ 7. 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 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, and all elections for directors to be conducted by three judges, to be selected by the stockholders.

Election of
president.

§ 8. The directors herein named are required to organize the board, by electing one of their number president, and by appointing a secretary and treasurer.

Machines, etc.

§ 9. 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 purposes of transportation on said railroad; 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.

By-laws for its
government.

§ 10. 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.

Transportation.

§ 11. The 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 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.

Intersections.

§ 12. 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 the company to construct their railroad across or upon the same: *Provided*, that the said company shall restore the railroad, stream of water or 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.

§ 13. The said company shall, annually, or semi-annually, make such dividend as they may deem proper of the net profits, receipts or income of said company among the stockholders therein, in proportion to their respective shares.

§ 14. If any person shall do or cause to be done, or aid in doing or causing to be done, any act or acts whatever, whereby any building or construction 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 or weakened, injured or destroyed, the person or persons so offending shall be guilty of 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 such offense 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.

Injury to road.

How punished.

May borrow money.

Issue of bonds.

Special regulations.

Certificate of secretary valid in law.

Transportation.

Rates, etc.

§ 15. Said company are hereby authorized to borrow money, from time to time, on the credit of the company, at any rate of interest not exceeding ten per cent. per annum, as may be agreed on 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; and to secure the payment thereof, with the interest that may accrue thereon, may mortgage their corporate property or franchises for said purposes; and they may, by their president or other officers or agents, sell, dispose of or negotiate such bonds or stocks of said company at such times and places, either within or without the state, and at such rates and for such prices as in their opinion will best advance the interest of said company; and if such bonds and stocks are thus sold at a discount, such sale shall be as valid and binding, in every respect, as if sold at par value. 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 the company may see fit to adopt.

§ 16. The certificates 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.

§ 17. Said company shall carry and transport the mail of the United States, on such terms as may be agreed, and all such freights and passengers as may be offered, if required so to do, on the terms usual with like railroad companies.

Time of completion of road.

§ 18. 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 two years after the work shall be commenced thereon; and upon failure to do so shall forfeit all rights and privileges, tracks completed and work done upon the road.

May receive county bonds.

§ 19. Said company shall have power to receive fifty thousand dollars of the bonds of Saint Clair county, and fifty thousand dollars of the bonds of the city of Belleville—said bonds to bear interest at a rate not exceeding ten percent per annum; and the said county of Saint Clair, by its county court, may, and authority is hereby given them, to appropriate to said company bonds of one thousand dollars each, to the amount of fifty thousand dollars, under such restrictions as they may deem necessary and best; and the city of Belleville, by its city council, may, and authority is hereby given them, to appropriate to said company bonds of five hundred dollars each, to the amount of fifty thousand dollars, under such restrictions as the city council may deem necessary and to the best interests of said city. Said company shall, also, have power to receive and accept all free or voluntary gifts or grants of either moneys or lands or bonds, but no such appropriation shall be made by such county or city, until the question of making such appropriation shall be submitted to the vote of the legal voters of said county or city, at a general election or a special election to be called for that purpose; and in all cases thirty days' previous notice of such election shall be given in the manner now required by law; and if at such election the majority of all the votes cast shall be for such appropriation then such county or city shall have power to make such appropriation and not otherwise.

County may issue bonds.

May receive gifts, etc.

Transportation.
Requirements.

§ 20. Said corporation shall transport fire-wood and fuel of every description over its railroad, whenever the same shall be offered for transportation, at rates as low as the rates said company shall charge for the transportation of other freights of a similar class.

§ 21. This act to be in force from and after its passage.
APPROVED March 30, 1869.

AN ACT to incorporate the Belleville and Southeastern Railroad Company. In force April 15, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Thomas Burgess, B. F. Pope and John Mobley, of Perry county, and Jesse Bishop, R. M. Hundly, Samuel Dunnaway, J. M. Goddard, John Goodall, M. C. Campbell, Geo. L. Owen, Charles M. Edwards and Samuel W. Dunnaway, of Williamson county, and their associates and successors, are hereby created a body corporate and politic under the name and style of "The Belleville and Southeastern 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 franchise 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 Belleville, in the county of St. Clair, in the state of Illinois, and from thence to DuQuoin, in the county of Perry, and from thence to the town of Marion, in the county of Williamson, and from thence to Metropolis, in Massac county, in the state of Illinois, with one or more tracks of rails.

§ 2. The capital stock of said company shall consist of three millions 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.

§ 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.

Right of way.

§ 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 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 the general laws now in force or which may hereafter be in force for the condemnation of lands for purposes of internal improvement.

May connect
with other roads

§ 5. Said company shall have power, by and with the consent of the owners of three-fourths of the capital stock of said company, 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 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 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.

Corporate powers.

Board of directors.

§ 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

First board.

Stock subscriptions.

Open books for subscription.

Owners of land.

Privileges.

May sell lands.

Crossings, etc.

Property in fee simple.

Corporate subscription.

Submitted to legal voters.

Notice of election.

Duties of the county courts.

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 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 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.

§ 10. To further aid the construction of said road by said company the counties of St. Clair, Perry, Jackson, Franklin, Williamson, Johnson, Pope and Massac, in said state of Illinois, may each subscribe to the capital stock of said railroad company in any sum not exceeding one hundred thousand dollars.

§ 11. 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 said 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 thirty 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.

§ 12. If it shall appear that a majority of all the voters voting at such election on the subject of such subscription shall have voted for such 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.

§ 13. 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.

Levy tax to
pay interest.

§ 14. 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 the
county treasurer

§ 15. Any incorporated city or town, 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 the denomination of not less than one hundred dollars, bearing interest at the rate not exceeding eight per centum per annum, payable

Towns and
cities may take
stock.

annually; which bonds may run any period, not exceeding twenty years, to be determined on by the city council, town trustees or other proper authority issuing such bonds: *Provided*, that before said stock shall be subscribed, an election shall be held in conformity with the laws in regard to ordinary city or town elections, thirty days' 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 city council, town trustees or other proper authorities may, from time to time, order elections, specifying the amount proposed to be subscribed; and such city or town 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.

Levy tax to
pay interest.

Represent and
cast vote.

§ 16. At all 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 or one of the members of said city council or one of the trustees of said town which may subscribe to the stock of said company, shall represent and cast the vote which said stock is entitled to: *Provided*, he shall be duly appointed by said county court, city council or town trustees, and a certificate of the clerk of said county court, city or town, under the seal of said court, city or town, shall be sufficient evidence of his appointment.

Other compa-
nies may take
stock.

§ 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 in this company and shall be subject to the same conditions, restrictions and limitations as other stockholders therein.

Stockholders'
liability.

§ 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.

Crossings, etc.

§ 19. 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.

§ 20. The said company shall commence work on said road in five years from the passage of this act, and shall complete the same within ten years from the date of the passage of this act. Time of commencement and completion of road.

§ 21. Said corporation shall transport fire-wood and fuel of every description over its railroad, whenever the same shall be offered for transportation, at rates as low as the rates said company shall charge for the transportation of other freights of a similar class. Transportation. Requirements.

§ 22. This act shall be taken and 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 April 16, 1869.

AN ACT to incorporate the Bloomington and Ohio River Railroad Company. In force March 10, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That T. D. Craddock, J. D. Bruce, C. H. Bull, Charles Voris, J. B. Titus, Jonathan Patterson, sr., H. Y. Kellar, William Piatt and Michael Swan are hereby made and constituted a body corporate and politic, by the name and style of "The Bloomington and Ohio River Railroad Company,"* Corporators.
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. Name and style.

§ 2. That said company are hereby authorized and empowered to locate, and, from time to time, to alter, change, relocate, construct, reconstruct and fully furnish, perfect and maintain a railroad, with one or more tracks, commencing at or near Effingham, in Effingham county, in the state of Illinois; thence, on the most practicable route, (to be determined by said directors or their successors in office,) from said point to the T. H., A. and St. L. R.R., at or near Windsor, in Shelby county, Illinois; thence, from said point, on the most practicable route, to be determined as aforesaid, to Sullivan, in the county of Moultrie, in the Locate and construct road.

Route of road. state of Illinois; and thence, from said town of Sullivan, to the Great Western railroad, at or near the town of Bement, in the county of Piatt, in the state of Illinois; thence, from said point, on the most practicable route, to the town of Monticello, in said county of Piatt, in the state of Illinois; thence, from said town of Monticello, on the most practicable route, to be determined as aforesaid, to the city of Bloomington, in the county of McLean, and state of Illinois; and the said company are further authorized to use and operate said railroad, and shall have power and authority to regulate 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.

General powers. § 3. The following named persons shall constitute the first board of directors, to wit: T. D. Craddock, J. D. Bruce, C. N. Bull, Charles Voris, J. B. Titus, Jonathan Patterson, sr., H. Y. Kellar, William Piatt and Michael Swan. 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 book 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 the purpose.

Board of directors. § 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 general laws now in force, or which may hereafter be in force, providing for the condemnation of lands for purposes of internal improvement. Certificates of stock shall

Open books for subscription.

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.

§ 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 Windsor, 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 conducted by three judges elected 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 [are] any due and unpaid installments.

Annual election of directors.

§ 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.

On failure of board, secretary to give notice.

§ 7. The general offices of the company shall be located in the city of Windsor, 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 Windsor 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 Windsor, 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.

Location of office.

§ 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 cities may take stock.

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.

Submitted to
legal voters.

§ 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—such notice to be given at least thirty days prior to the day of holding such election; and such election shall be held and conducted in all respects, and the return thereof made, as in case of annual elections.

When majority
in favor of sub-
scription.

§ 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 year nor more than ten years. The said bonds, when issued, are to be irrevocable, and negotiable and payable as in section 8, as aforesaid.

Bonds in pay-
ment of sub-
scriptions.

§ 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.

Time of com-
mencement and
completion of
road.

§ 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.

§ 13. Said company shall have power to unite its railroad, in whole or in part, with any other railroad or railroads, now 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. May unite with other roads.

§ 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. Mortgage on real estate in payment of subscriptions.

§ 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. Amount capital stock.

§ 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. May borrow money.

§ 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. May sell bonds.

§ 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, [as] aforesaid, to secure the payment of the full amount of bonds and interest which the company may, at the time said deed of trust or Deed of trust to secure payment of bonds.

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.

Towns and cities may issue bonds.

§ 19. The several counties, cities, villages, incorporated towns, and the several towns or townships in counties having township organization, through or near which said railroad shall be located, are hereby empowered to make donations, and to issue bonds for the same in the manner hereinbefore provided, to said railroad, for the construction and completion of the same.

Rules for government.

§ 20. The board of directors shall have power to make all needful rules, regulations and by-laws for the government of said company, not provided for [in] nor inconsistent with this incorporating act.

Articles of and for transportation.

§ 21. Said corporation shall transport fire-wood and fuel of every description over its railroad, whenever the same shall be offered for transportation, at rates as low as the rates said company shall charge for the transportation of other freights of a similar class.

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

APPROVED March 10, 1869.

In force March 10, 1869.

AN ACT to incorporate the Carthage and Galesburg Railroad Company, and to authorize the townships and incorporate towns and cities through or near which said railroad shall be located 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 William A. Patterson, John M. Ferris, Wesley H. Manier, M. S. Carey, Henry W. Draper, Joseph W. Nudd, John Warren of Hancock county, and Walter Huston of Henderson county, 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 Galesburg Railroad Company;" and, by that name, shall have perpetual succession; shall be capable of contracting and being contracted with, suing and being sued, in all courts and places;

Name and style. Corporate powers.

may take and hold real estate and personal property, by gift, devise, purchase, condemnation or otherwise, necessary to the location, construction and operation of a railroad, with a 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 may 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 franchise and property to secure the same.

§ 2. Said company may locate, construct, maintain and operate a railroad, with one or more tracks, commencing within the limits of the incorporated town of Carthage, in the county of Hancock, and state of Illinois; and from thence, by way of La Harpe, upon the most eligible route, to the Chicago and Burlington Railroad, in Warren county, state of Illinois; and, also, may locate, construct, maintain and operate a branch of said railroad from the said town of Carthage to a point on the Mississippi river, in said Hancock county, Illinois, opposite the city of Keokuk, in the state of Iowa, by such route as the company shall determine; and may connect with any railroad, built or to be built, at either terminus of said road or which shall be crossed by said road; and in the location, construction, maintenance and use of depots, stations, switches, side-tracks, tanks, engine houses, machine shops, turn-tables, and other grounds, machinery, buildings or things necessary to the location, relocation, construction, maintenance and operation thereof, may take one hundred feet wide, the whole length of said road and branch road, and such other ground as may be necessary for depots, side-tracks and other appurtenances of said railroad and branch railroad; and if said company, for any reason, are unable to agree with the owners of said ground, or for gravel, sand, earth, or other materials, for the use of said railroad or branch road, or which may be necessary in constructing the same, said company may proceed to condemn the same, in accordance with the provisions of the general laws now in force or which may hereafter be in force, providing for the condemnation of lands for purposes of internal improvement; and may, in the same manner, take and condemn any unoccupied part of the old grade of what was known as the Mississippi and Wabash Railroad Company.

Location and construction of road.

Route of road.

Condemn land.

§ 3. The capital stock of said railroad company shall be one million dollars, and may be increased, by a vote of the stockholders of the company, to be divided into shares of one hundred dollars each, which shall be personal property, and transferable on the books of the company only. Said company may fully organize and commence the construction of said railroad, whenever ten thousand dollars

Amount capital stock.

- shall be subscribed to the capital thereof and five per cent. thereof paid in. Said company may make such calls for the payment of stock as they shall deem advisable, and collect the same after giving ten days' notice thereof, or may sell any share for the non-payment of any call, at public or private sale, at the discretion of the directors of said company. The incorporators shall be commissioners to open books for the subscription for stock to said railroad, and when ten thousand dollars shall be subscribed and five per cent. thereof paid in to said commissioners, they shall call a meeting of the stockholders, who shall elect seven of their number directors, one of whom shall be elected president, who shall hold their offices for one year and 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.
- § 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 said board of directors may be filled by a majority of said directors. Elections for directors shall be held, annually, in such manner as shall be provided by the by-laws; and votes may be given in person or by proxy.
- § 5. Said company may construct, purchase or receive, by gift or otherwise, for the use of said railroad, for the transportation of persons or property, or other things, all machinery, carriages or other things necessary or useful in the construction 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 freights in this state.
- § 6. Said company may construct said railroad across the track of any other railroad, common road or water course, and may take possession of any highway, for the 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 at such time as may be provided by the by-laws of said company, and make such dividends as shall be consistent with the interests of said company.
- § 8. The legal voters in the townships, incorporated cities and towns, along the line of said railroad, may, at any regular town meeting or election to be held in such township, incorporated town or city, for the election of town, county or city officers, vote for or against subscribing to the capital 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

Call for pay-
ments due.

Subscription
books opened to
capital stock.

Powers of the
directors.

Machinery, etc.

Crossings, etc.

Annual state-
ment.

Submitted to
legal voters.

such town meeting or election shall be "For subscription" then the supervisor of such township, the mayor of such city, or the president of the board of trustees of said incorporated town, shall respectively subscribe to the capital stock of said railroad company the amount set forth in the call for said election of said legal voters to take stock in said company, and may issue bonds to said company in any sums not exceeding one hundred dollars, payable at any time, not exceeding twenty years, with annual interest at ten per cent. per annum: *Provided*, that before any such vote shall be taken, it shall be the duty of the clerk of such township, city or incorporated town to give thirty days' notice thereof in three of the most public places in such township, city or town, where said vote is taken, setting forth the time and place of holding such election, and the amount of stock proposed to be taken. Said clerk shall give such notice, whenever ten of the legal voters of such township, city or town proposing to take such stock shall request him, in writing, setting forth in said writing the amount of stock proposed to be taken, but not without. Whenever such subscription shall be made, the supervisor of such township, the mayor of such city, or the president of the board of trustees of such town, as the case may be, where said subscription is made, shall certify the fact thereof to the county clerk of the respective counties in which such township, city or town, so taking stock in said railroad, are located, and such clerk shall extend on the tax-books of said townships, cities or towns, so subscribing stock, a tax of not exceeding two per cent., annually, on all taxable property of such townships, cities or incorporated towns, until said bonds are paid. Said tax shall be collected as other township, city and town taxes are collected, and, when collected, shall be paid over by the collector to the treasurer of said township, city or town, so subscribing to said capital stock, and by him shall be applied, first, to the payment of the interest on said bonds, and, second, to the payment of said bonds, as they become due. Such treasurers shall each keep a book, in which he shall keep a full record of the bonds issued, the payment of the interest thereon, the payment of the bonds and the cancellation thereof, and shall, annually, settle with the board of auditors of his respective township, city or incorporated town, and cancel the bonds paid, by burning the same; and shall keep a correct account of the bonds burnt; and, in addition to the ordinary bond now required by law to be given by such treasurers, they shall each give a bond, payable to the people of the state of Illinois, for the use of such township, city or town, so taking stock, in the penal sum of double the amount of such tax so levied, conditioned for the faithful performance of his duties under this act and the faithful application of said tax, with securities, to be approved by the supervisors of such township, the

Who may subscribe stock.

Election, time and place of.

Duties of the county clerk.

Record of bonds

Treasurer to give bond.

mayor of such city, or the president of the board of trustees of such town, as the case may be, which bond shall be filed in the office of the clerk of such township, city or incorporated town.

Towns and cities may take stock.

§ 9. Any city or incorporated town, on the line or near said railroad, may subscribe, under section eight of this act, to the capital stock of said company, any sum, not to exceed ten per cent. of the assessed value of the taxable property of such city or town, notwithstanding any provisions which may be in the charters of said cities or towns contrary hereto.

Conditional subscriptions.

§ 10. Said railroad company may accept conditional subscriptions to the capital stock of said company; and the acceptance of such conditional subscription by said company shall be deemed and considered an agreement upon the part of said company with the persons or corporations making such conditional subscription to comply, on the part of said company, with the conditions of such subscriptions.

Articles of and for transportation.

§ 11. Said corporation shall transport firewood and fuel of every description over its railroad, whenever the same shall be offered for transportation, at rates as low as the rates said company shall charge for the transportation of other freights of a similar class.

§ 12. This act shall be deemed a public act, and shall take effect and be in force from and after its passage; and this company shall not be consolidated with any other company, except upon a vote of three-fourths of the stockholders thereof.

APPROVED March 10, 1869.

In force March 24, 1869.

AN ACT to incorporate the Champaign and Edgar County Railroad Company.

Corporators.

Corporate powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That John T. Alexander, C. L. Eaton, Charles M. Culbertson, Snowdon Sargent, James R. Hammet, Silas H. Elliot and Dr. William Kyle, their associate and successors, be and they are hereby created a body politic and corporate, by the name and style of "The Champaign and Edgar County Railroad Company," with perpetual succession; and, by 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 or renew the same at pleasure; and, by their corporate name and style, shall be capable, at law, of contracting and being

contracted with ; shall be and are hereby vested 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 objects and purposes of this act ; and said company are hereby authorized and empowered to locate, construct and complete a railroad, commencing at or near Tolono, in the county of Champaign ; thence, upon any route to be selected by said company, to a point at or near Paris, in the county of Edgar, and to maintain the said road, when so constructed, with single or double tracks.

Construction of road.

§ 2. The capital stock of said company shall be five hundred thousand dollars, to be divided into shares of one hundred dollars each ; and may be hereafter increased by said company to one million dollars. The immediate government and direction of said company shall be vested in 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 after their election and until their successors shall be duly elected and qualified ; 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 said company, and shall have power to appoint or elect such other officers as they may think proper.

Amount of capital stock.

§ 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, 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.

General powers

§ 4. For the purpose of acquiring the right of way for the construction of said road, sidetracks and turnouts, and and grounds for depots, stations and other buildings, erections and structures, and for the purpose obtaining stone, gravel and other material for building, ballasting and repairing the same, and of 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 laws condemning right of way for purposes of internal improvement," approved June 22nd, 1852.

Right of way.

§ 5. The said company is hereby authorized and empowered, 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 bonds, at such rate of interest and at such discount as may be thought for the

May borrow money.

benefit of the company, and to mortgage their corporate property and franchises, or to 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 upon any bondholder of any bond issued for borrowed money, as aforesaid, the right to convert the principal due and 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 such corporation, under such regulations as the directors of said company may see fit to adopt.

Open books for
subscription.

§ 6. 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 a newspaper published in Paris, Edgar county, shall meet and proceed to open books and receive subscriptions of 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. 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, at such time and in such manner as they may direct: *Provided*, that subscriptions to the stock of said company may be made in bonds, at their cash value at the time of the subscription, as may be agreed upon between the subscribers and directors of said company; such subscription to be designated upon the books of said company as land subscriptions, and to be considered as paid by a conveyance of such land to the company. 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: *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 sufficiently so as not materially impair its usefulness.

Intersections.

Vested rights.

§ 7. That the right of way and the real estate, for the purpose aforesaid, purchased or acquired by said company, whether by agreement or otherwise, shall, upon the payment of the money or consideration agreed or adjudged to be paid to the owner or owners of said land, as compensation for the same, become the property of the company, in fee simple.

Towns may
take stock.

§ 8. 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 one hundred thousand dollars.

§ 9. 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 taxpayers of the town for which he is clerk, in which the amount proposed to be subscribed shall be stated, to post up notices, which shall set forth proposition stated in the petition aforesaid, in at least three of the most public places in said town, which notices shall be posted not less than thirty days before the day of holding 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.

Submitted to
legal voters.

§ 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 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 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 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.

Duty of supervisor.

Interest.

§ 11. 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.

Duties of clerk.

§ 12. 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.

Levy tax to
pay interest.

§ 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

Duties of the
treasurer.

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.

Supervisor to
cast vote.

§ 14. 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.

Other compa-
nies to take
stock.

§ 15. Any railroad company with whose road the afore-said road may intersect or connect is hereby authorized and empowered to subscribe to the capital stock of this company, any sum, not exceeding two 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'
liability.

§ 16. No stockholder, whether corporate or natural person, shall be liable upon his, her or their respective subscriptions of stock further 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.

§ 17. This act shall be liberally construed, and to take effect from and after its passage.

APPROVED March 24, 1869.

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In force March
30, 1869.

AN ACT to incorporate the Chicago and Iowa Railroad Company.

Corporators.

Name and style.

Corporate pow-
ers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That all such persons as may become stockholders, agreeable to the provisions of this act, in the corporation hereby created, shall be a body politic and corporate, by the name and style of "The Chicago and Iowa Railroad Company," and, by that name, shall have perpetual succession, may sue and be sued, complain and defend, in any court of law or equity; may make laws, rules and regulations for the management of property, the regulation of its own affairs, and for the transfer of its stock, not inconsistent with the existing laws and constitution of the state; and may appoint such subordinate agents, officers and servants as the business of said company may require, prescribe their duties, and require bonds for the faithful performance of their trusts.*

§ 2. That said company are hereby authorized and empowered to locate, construct and complete, maintain and operate a railroad, with such appendages as may be deemed necessary by the directors, from the city of Chicago, Cook county, Illinois, over the most eligible route, to a crossing of Rock river, at or near the town of Oregon, in the county of Ogle, in said state; from thence, over the most eligible route, through the counties of Ogle and Carroll, in said state, to the Mississippi river, at Savanna, in said Carroll county; and from thence, up, along or near said river, to the city of Galena; and from thence, to the northern boundary line of the state of Illinois.

Constructio
of railr. ad.

Route of road.

§ 3. That said company are hereby authorized and empowered to operate the said railroad, and to regulate the time and manner in which passengers, merchandise and effects shall be transported on the same, and the manner in which said railroad shall be used, and to regulate a tariff of fare and freights, and to erect all necessary depots, stations, shops and other buildings and machinery, for the accommodation, management and operation of said railroad.

Transportation
of freight.

§ 4. That the capital stock of said company shall be one million dollars (\$1,000,000), which shall be divided into shares of one hundred (\$100) each, and may be increased by the board of directors to any sum, not exceeding five millions, if necessary to complete the work herein authorized.

Amount capi-
tal stock.

§ 5. That H. S. Townsend, J. W. White, N. Halderman, John M. Adair, Frederick P. Petrie, L. H. Bowen, Jas. V. Gale, David B. Stiles, Jonas S. Meckling, P. B. Shumway, and Francis E. Hinckley, be and they are hereby appointed commissioners for the purpose of procuring subscription to the capital stock of said company, giving notice of the time and place where books will be opened for subscription to the capital stock of said company; and said commissioners, by themselves personally or by such agents as they may appoint, may continue to procure subscription to the stock of said company until the stock so subscribed shall amount to the sum of one hundred thousand dollars; and when said amount of stock shall have been taken, the said commissioners, or a majority of them, shall give twenty days notice in some public print along the line of said road, and also give written notice to each subscriber of a meeting for an election of a board of directors for the management of the business of said company. Said meeting shall organize by the appointment of a chairman and designate two of said commissioners who shall act as inspectors of said election. The stockholders present shall then proceed to ballot for directors, casting one vote for each share of stock held by him; and said inspectors shall certify to the election, under their hands, which certificate shall be recorded in the record book of said company, and shall be sufficient

Commissioners.

Notice of elec-
tion.

Inspectors of
election.

evidence of the election of the directors therein named.

Term of office. The directors thus elected shall hold their office for one year or until their successors are elected and qualified. Any vacancy in said board shall be filled by the same at any regular meeting thereof. In case 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 deemed dissolved, but such election shall be held at any other time directed by the by-laws of said corporation.

Surveys and examinations. § 6. Said company are [is] authorized, by their engineers and agents, to enter upon any lands, for the purpose of making necessary surveys and examination for a route for said road, and to enter upon and take any and all lands

Damages for land taken. necessary for the construction of said railroad; and in case the said company shall not be able to obtain the title to lands through which the said road shall be located, by purchase or voluntary cession, they are authorized to proceed to ascertain the damages sustained by such owner or owners; and said company shall be entitled to all the benefits and provisions of any act now in force or which may hereafter be enacted in regard to right of way in this state; and the right of way so obtained and any other real estate purchased for the road by said company, which shall become the property of said company, either by agreement or process of law, shall vest absolutely, in fee simple, in said company.

May borrow money. § 7. That said company are authorized and empowered to borrow money, from time to time, as may be necessary, to aid the construction of said road, and to pay any rate of interest therefor, not exceeding ten per cent. per annum, and to pledge and mortgage the said road and its appendages, or any part thereof, or any property or effects, rights, credits or franchises of the said company, as security for the loan of money and the interest thereon, and to dispose of bonds issued for such loan, at such rate or on such terms as the board of directors may determine.

Erect bridge. § 8. That said company shall have the right to locate, construct, erect and maintain a bridge over the Mississippi river, subject to the laws of [the] states of Illinois and Iowa and of the United States.

May unite with other roads. § 9. Said company shall have power to unite, connect or consolidate its railroad or an part thereof with any other railroad constructed or which may hereafter be constructed in this state or in the state of Iowa, upon such terms as may be 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, connection or consolidation, as the case may be: *Provided*, that at any annual meeting of the

stockholders three-fourths of them shall vote for such consolidation.

§ 10. That it shall be lawful for the supervisors of any county through which said road may be located, on presentation to them of a petition signed by twenty legal voters of said county, praying for a donation or loan to aid in the construction and equipment of said road, to determine the amount of said donation or loan, the time and manner of paying the same; and if, in the judgment of a majority of said supervisors, the interest of said county would be advanced by aiding in the construction of said road, they may, at their discretion, order an election of the legal voters of said county, to determine whether said donation or loan shall be made; and if at said election a majority of the votes cast shall be for said donation or loan, it shall be the duty of the county clerk of said county to issue to said company bonds, as may be determined by said vote, in denominations of not less than one hundred dollars each, and bearing interest not to exceed ten per cent. per annum—said bonds to be signed by the president of the board of supervisors and countersigned by the clerk of said county; and said clerk shall annually certify to the board of supervisors the amount of said bonds and the interest due or maturing; and supervisors shall cause to be levied and collected a sufficient amount of money to pay and liquidate the annually accruing interest and so much of the principal as may become due; but it shall be the duty of the county treasurer to pay and liquidate said bonds out of moneys in his hands collected for such purposes.

Duties of the supervisor.

Submitted to legal voters.

Tax to pay interest.

§ 11. That the several towns, villages and cities, organized or incorporated under any law of this state, along or near the route of the said railroad, as authorized to be constructed under this act or that are in anywise interested in having said road or any branch or division thereof constructed, may, in their corporate capacities, subscribe to the stock of said company, or may make donations thereto, or may lend its or their credit to said company, to aid in constructing and equipping said road or any division or branch thereof: *Provided*, that no such subscription, donation or loan shall be made until the same shall be voted for as hereinafter provided.

Towns and cities may take stock.

§ 12. Whenever twenty legal voters of any such town, village or city shall present to the clerk thereof a written application, requesting that an election be held to determine whether such town, village or city shall subscribe to the capital stock of said company, or make a donation thereto, or loan money or bonds, or its credit, to aid in the construction of said road, or any branch or division thereof, stating the amount, and whether subscribed, donated or loaned, and the rate of interest and the time of payment, such clerk shall receive and file such application and immedi-

Request for an election

Notice of election.

ately proceed to post written notices of an election to be held by the legal voters of such town, village or city, which notices shall be posted in ten of the most public places in such town, village or city, for twenty days preceding such election, and shall state fully the object of such election; and such election shall be held and conducted and returns thereof made as is provided by the township organization law, in towns organized under said law, and in any village or city as is provided by the law under which the same is incorporated. Said return shall state fully the amount of bonds voted to be issued, the time they are to run, and the rate of interest, which shall be filed with the county clerk, and by him recorded; and an additional return, a true copy of that filed with the clerk, shall be made to one of the directors of said company. Each elector at such election

Mode of voting.

shall deposit a ballot for said subscription, donation or loan, or against said subscription, donation or loan; and if a majority of the voters of such town, village or city, voting at such election, shall vote at such election for such subscription, donation or loan, then such town, village or city shall, by its proper corporate authority, subscribe to the stock of said company, or donate or loan thereto, as shall be determined at such election, and shall issue to the said railroad

Issue bonds.

company its bonds, in such denominations as said company may designate, not less than one hundred dollars, and bearing interest as may be determined at such election, not to exceed ten per cent. per annum, payable annually; which bonds shall be signed by the supervisor and countersigned by the clerk in towns organized under the township organization law, and in incorporated villages or town signed by the president of the board of trustees and countersigned by the clerk or by the officers having similar powers and duties in any such village or city; and any such town, village or city so subscribing, donating or loaning, as aforesaid, shall, by its proper corporate authority, annually thereafter, assess and

Tax to pay interest on bonds.

levy a tax upon the taxable property of such town, village or city, sufficient to pay and liquidate the annually accruing interest on such bonds and so much of the principal thereof as, from time to time, shall become due; which taxes shall be levied and collected in the same manner as other corporation taxes in such town, village or city: *Provided*, that for the payment of the principal thereof, said tax shall not exceed two per cent. per annum.

Registration of voters.

§ 13. That at any election held under the provisions of this act, it shall not be necessary to cause a registration of the voters to be made; but the qualification of electors at said election shall be determined by the registration next preceding said election.

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

APPROVED March 30, 1869.

AN ACT to incorporate the Chicago and Rock River Railroad Company. In force March 24, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That John R. Snyder, Henry E. Badger, William E. Ives, Alonzo Kinyon, Taylor McWharton, Augustus Smith, C. W. Marsh, R. M. Prichard, Lewis Stewart, Irus Coy, Robert Hopkins, and their associates and successors, are hereby made a body politic and corporate, by the name and style of "The Chicago and Rock River Railroad Company," with perpetual succession; and, by that name, they may sue and be sued, plead and be impleaded, in any court of law or equity; may make and use a common seal, alter and renew the same at pleasure; and are hereby vested with all the powers and privileges which are or may be necessary to carry into effect the purposes and objects of this act, as herein set forth. Said company are hereby authorized and empowered to locate, construct and complete a railroad, with a single or double track, from a point on the south side of Rock river, at or near a place opposite Sterling, running eastwardly or south of east, crossing the Illinois Central Railroad at the city of Amboy, Lee county; thence in a southerly direction, intersecting the Chicago and Rock Island Railroad or the Chicago and Burlington Railroad in Bureau county, Illinois; also, running from the city of Amboy, in an easterly direction, over the most eligible section, crossing the Chicago and Burlington Railroad at or near Somonauk, at or near Aurora, or at some point between those points; thence, easterly, intersect the Chicago Branch of the Illinois Central Railroad outside of the corporation of the city of Chicago; and, for this purpose, the said company are authorized to lay out and locate 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 gravel, may take and appropriate as much more land as may be necessary for the construction and security of said road.

Corporators.

Name and style.

Corporate powers

Construction of railroad.

Route of road.

§ 2. The capital stock of said company shall consist of one million dollars, which may be increased to any amount not exceeding the actual cost of construction and equipping the said road, to be divided into shares of one hundred dollars each. All the corporate powers shall be vested in and exercised by a board of directors, who shall be chosen by the stockholders of said company, in the manner herein provided for, and who shall hold their offices for one year or until their successors shall be duly elected and qualified. Said directors shall elect one of their number president, and may appoint such other officers as they may think necessary to the proper management of the business of said company.

Amount capital stock.

Survey of route. § 3. Said corporation is hereby authorized to make surveys of the grounds and determine the most eligible route whereon to construct said railroad; and it shall be lawful for said company to enter upon and take possession and use all such lands and real estate as may be necessary for the construction and maintenance of 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 and real estate, extend [entered] upon and taken possession of by said corporation, for the purpose aforesaid, shall be paid for by said company in the manner provided for by law when lands are necessary for the construction of public roads, canals and other public works, unless otherwise mutually agreed by the owner or owners thereof and said company.

Annual meeting of stockholders. § 4. The annual meeting of the stockholders of said company shall be held at such place on the line of said railroad and at such time as may be provided for in the by-laws of said company; and at all meetings each stockholder shall be entitled to cast one vote for each share of stock standing in the name of such stockholder; and an absent stockholder may vote by proxy authorized in writing.

Open books for subscription. § 5. The persons named in the first section of this act are hereby appointed commissioners to open books for subscription to said stock; and whenever fifty thousand dollars shall have been subscribed and ten per cent. thereof paid in, said commissioners shall call a meeting of stock subscribers—notice of which time and place of meeting shall be given, either personally or in writing, to each subscriber five days at least before said time of meeting, or by publication in two daily newspapers published in the city of Chicago two days at least prior thereto; and at such meeting, said subscribers may elect a board of directors and transact other business necessary to the organization of said company; and when said directors are elected said commissioners shall transfer to them said books of subscription and pay over to their treasurer or other financial agent, on the order of said directors, all sums of money paid in by the subscribers to said stock. No person shall be eligible to the office of director unless he shall be a stockholder; and whenever such director shall cease to be a stockholder his term of office as director shall expire.

Election of directors. § 6. The directors of said company are hereby authorized to receive subscriptions to their capital stock from any corporation, county, city or town, on such terms and in such amounts as they may deem for the interest of said company, in accordance with the by-laws of said company.

Towns and cities may take stock. § 7. The said corporation may take and carry, for hire, on said railroad, any person or persons, merchandize and other property, by steam or other power, and receive such

Transportation.

rates for carriage and transportation of passengers and freights thereon as the directors may establish; and said directors are hereby authorized to make all necessary rules and regulations for the carriage of freight and passengers and for the transaction of the general business of said company: and in case of a vacancy occurring [in] the board of directors of said company, at any time prior to an annual election, such vacancy may be filled for the remainder of said year by the remaining directors.

§ 8. Whenever it shall be necessary, in the construction of said railroad, to intersect or cross a track of any other railroad, or stream of water or water course, or highway, on the route of said railroad, it shall be lawful for the company to construct their road across or upon the same: *Provided*, said corporation shall restore said railroad, stream of water, water course, road or highway, thus intersected or crossed, so nearly to its former state as not to materially impair its usefulness. Intersection.

§ 9. Said corporation shall have power to borrow money, at a rate of interest not exceeding ten per cent. per annum, payable semi-annually, and may execute bonds therefor, with interest coupons thereto attached, and secure payment of the same by mortgage on the whole or any part of said railroad, property and incomes, 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 holder, if the said bondholders shall signify in writing their desire so to do to the board of directors of said company one year or more prior to the maturity of said bonds. May borrow money.

§ 10. To aid in the construction of said road by said company, any incorporated city, town, or any township organized under township organization law of this state, along or near the route of said road, may subscribe to the capital stock of said company Towns and cities may take stock.

§ 11. No such subscription shall be made until the question has been submitted to the legal voters of such city, town or township, in which the subscription is proposed to be made; and the clerk of such city, town or township, is hereby required, upon presentation of a petition, signed by at least ten citizens, who are legal voters and tax payers in such city, town or township, stating the amount proposed to be subscribed, to post up notices in three public places in each town or township; which notices shall 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, for the purpose of voting for or against such subscriptions. If it shall appear that a majority of all the legal voters of such city, town or township, voting at such election, have voted "For subscription," it shall be Submitted to legal voters.
Notice of election.

Interest bonds.

the duty of the president of the board of trustees or other executive officer of such town, and of the supervisor in townships, to subscribe to the capital stock of said railroad company, in the name of such city, 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 city, town or township, 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 said bonds shall be signed by such president or supervisor or other executive officer, and be attested by the clerk of the city, town or township, in whose name the bonds are issued; and it shall be his duty to make out a record of the issue of said bonds, which shall be delivered to the president or secretary of said company, for the use of said company.

Clerk's duties.

§ 12. It shall be the duty of the clerk of any such city, 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 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 when elections shall be held and bonds issued, as aforesaid, it shall be the duty of the clerk of such town or township to file with the county clerk of their respective counties, within ten days after the issuing of said bonds, certificates of the amount of bonds issued and the rate of interest payable thereon and number of each bond.

Tax to pay interest.

§ 13. It shall be the duty of the county clerk of said county, annually, after the execution and delivery of such bond aforesaid, to compute and assess upon all the taxable property returned by the assessor of such city, town or township, a sum sufficient to pay the interest and costs of collection and disbursements upon all bonds so issued by the respective cities, towns or townships; which tax shall be extended upon the collector's books as other taxes are, and, when collected, shall be paid to the treasurer of the county; and such city, town or township shall, when providing for the levying and collecting of other taxes, also assess upon the property of such city, 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 and interest of such bonds as or when they become due—said taxes to be levied and collected as other taxes are; but no tax shall be computed, assessed or collected or any interest paid, to be applied upon said bonds, unless such bonds have been executed and delivered.

Duties of the county treasurer

§ 14. It shall be the duty of the county treasurer to pay out, on the presentation to him of the bonds issued by any such town or township aforesaid, the amount due upon

such bonds for interest and for principal, when any tax shall be assessed and collected to pay principal, any money in his hands for that purpose, and indorse any payments of interest or principal upon said bonds; and when said bonds shall be redeemed and paid, he shall receive and cancel the same and return the same to the said president or supervisor or other executive officer of said city, town or township. The town collector and county treasurer shall receive the same percentage for receiving and disbursing such taxes as they now receive for collecting and disbursing school funds. Compensation.

§ 15. This company shall furnish ample facilities for the transportation of fire wood and fuel, of every description, at as low rates as other freights of a similar class. Transportation rates.

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

APPROVED March 24, 1869.

AN ACT to incorporate the Danville and Mattoon Railroad Company. In force March 24, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Corporators.
 Eben Noyes, C. M. Dole, Elijah Currens, Jonathan Richmond, of Mattoon, in Coles county, D. B. Stockton, H. W. Beckwith and Samuel Frazier, of Vermilion county, and their associates, successors and assigns, are hereby created a body corporate and politic, under the name and style of "The Danville and Mattoon Railroad Company," with Name and style.
 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 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 renew and alter 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 this company are hereby authorized and empowered to locate, construct and finally complete a railroad, commencing at Danville, Vermilion county, Illinois, or within one mile of that place, and thence, on the most practicable route, to Mattoon, Illinois, or within one mile of it; also, at any future time, to extend said railroad to St. Louis, or other point on navigable water; and, for this purpose, said company is authorized to lay out their said road upon the most eligible route, not exceeding one hundred feet in width, through the whole length; and for the purpose of cutting and embank- Corporate powers.

Construction of road.

ments, stone and gravel, may take as much more land as may be necessary for the proper construction of said railroad.

Amount capital
stock.

§ 2. The capital stock of said company shall consist of one million dollars, to be divided into shares of fifty dollars each. The immediate government and direction of said company shall be vested in a board of 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, 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; that said board of directors shall have power to appoint all necessary clerks, secretary, treasurer and other officers, necessary in the transaction of the business of said company.

Route of road.

§ 3. The said corporation is hereby authorized, by its agents, surveyors and engineers, or in person of the corporators herein named, to cause such examination of said ground and country, between the above described points, as shall be necessary to determine the most advantageous and proper route on which 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 will or may be necessary for the construction and maintenance of said road, 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 all the land or real estate entered upon or taken possession of and by said corporation, for the purpose and accommodation of said railroad or upon which the site of 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 or 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 said corporation and the owner or owners of such lands; and in case of disagreement, the price shall be estimated, fixed and recorded in the manner provided for taking lands for the construction of public roads, canals and other works, as prescribed by the act concerning the right of way, approved November 5, 1849.

Payments for
land taken.

Annual election.

§ 4. The time for holding the annual meeting of said company, for the election of directors, shall be fixed and determined by the by-laws of said company; and at all meetings each stockholder shall be entitled, in person or by lawful proxy, to one vote for each share of stock he or she

or they may hold, *bona fide*, in said company, upon which all installments called have been paid.

§ 5. That Eben Noyes, C. M. Dole, Elijah Currens and Jonathan Richmond, of Coles county, D. B. Stockton, H. W. Beckwith and Samuel Frazier, of Vermilion county, are hereby appointed a board of directors, who, or a majority of whom, after a meeting duly called, shall have power to transact all needful business for said road and for running the same, and who shall, also, have power to open subscription books for stock for said company, after advertising in newspapers at the termini or on the line of said road. Said directors, or their duly appointed agents, may require ten per cent. to be paid, in cash or notes, if they think necessary, on all stock subscribed to said railroad at the time the subscription is taken; and said directors shall continue to hold their offices till their successors shall be elected.

Directors.

Open books
for subscrip-
tion.

§ 6. That the right of way and the real estate purchased for the right of way for said company, whether by mutual consent 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.

Right of way.

§ 7. That said corporation may take and transport upon said railroad any person or persons, merchandise or other property, by force and power of steam or animals or any combination of them; and the directors are hereby authorized and empowered to make all necessary rules and 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 may be provided by the by-laws and ordinances of said company.

Rules for gov-
ernment.

§ 8. In case of the death or removal of the president, vice-president or any director or directors at any time between the annual elections, such vacancy shall be filled for the remainder of the year 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 said corporation may provide. In case it shall happen, at any time, that an election shall not be held on the day which in pursuance of this act it should have been made, the said corporation shall not for that cause be deemed dissolved, but such election [may be held] at any time directed by the by-laws of said corporation.

When vacan-
cies occur, how
filled.

Failure to elect.

Intersections.

§ 9. 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 road or highway, on the route of said road, it shall be lawful for said company to construct its railroad across or upon the same: *Provided*, the said company shall restore the railroad, stream of water, or water course or highway, thus intersected or crossed, to its former state or in sufficient manner not to impair its usefulness.

May borrow money.

§ 10. That the said Danville and Mattoon Railroad 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, 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 the road, property and income of the company then existing or thereafter to be acquired.

Bonds secured by deeds trust.

§ 11. That the directors of said company, in securing the payment of said bonds by 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, as aforesaid, to secure the payment of the full amount of the bonds which the company may, at the time the said deed of trust or mortgage 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 person or persons as to the directors of said company may seem advisable, till the whole amount of bonds mentioned in said deed of trust or mortgage 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 of even date with said deed of trust or mortgage.

Sale of bonds.

§ 12. That the directors of said company be and they are hereby authorized to regulate and sell the bonds of the said company, at such times and places, either within or without the 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 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.

Towns and cities may take stock.

§ 13. The several counties in which any part of said railroad shall or may hereafter be located or that may lie on or near the line of said railroad, and the several townships 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, in the manner hereinafter provided.

§ 14. 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 election, it shall be the duty of the county clerk of such county to give thirty 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 election, it shall be the duty of the supervisor of any such township and the duty of the clerk of any such city or town to give thirty 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 said 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 same 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 the subject, shall be "For subscription," it shall be the duty of the county clerk or board of supervisors of every such county, the supervisors and clerk of such township, and the corporate authorities of such town or city, 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 twenty years from date, with interest at a rate not exceeding ten per cent. per annum, payable semi-annually; which said bonds and interest accruing thereon may be made payable at such place in the United States as said company may designate: *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 registration of the several voting precincts, but the register made of the legal voters at the last previous general election held for the election of state or county officers may be used: *Provided*, that

Submitted to
legal voters.

Notice of elec-
tion.

Mode of voting.

Duties of clerk
and supervisors.

Payments.

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.

Tax to pay in interest.

Collection of taxes.

Duties of the treasurer.

Compensation of clerk.

§ 15. 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 semi-annually accruing for 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, township, 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 which said tax was 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 the same 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 services 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 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.

§ 16. No stockholder shall be held liable for the debts or other liabilities of the company beyond the amount of stock for which he, she or it may have subscribed. Stockholders' liability.

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

APPROVED March 24, 1869.

AN ACT to incorporate the Danville, Olney and Ohio River Railroad Company. In force March 10, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* Hiram W. Beckwith, James P. Chandler, of Vermilion county, John K. Boyer, James Gains, of Edgar county, John B. Briscoe, Richard F. Williams, of Clark county, John B. Kelly, Morrell Sanford, of Cumberland county, Thomas Cooper, Joseph Picquet, of Jasper county, James H. Parker, Israel Powell, of Richland county, John Landrigan, L. W. Lowe, of Edwards county, John M. Crebs, Richard L. Graham, of White county, Joseph Castles of Gallatin county, William Roark of Saline county, William Enders, Valentine Owens, of Pope county, and J. C. Willis and J. B. Bailey, of Massac county, and their associates and successors, are hereby created a body politic and corporate, under the name and style of "The Danville, Olney and Ohio River Railroad Company," with perpetual succession; and, under that name, shall be capable of suing and being sued, pleading and being impleaded, defending and being defended, both in law and equity, in all courts and places whatsoever, in like manner and as fully as natural persons may; may have and use a common seal, and alter and renew the same at pleasure; and, by their said corporate name and style, shall be capable 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, from the town of Danville, in Vermilion county, through Olney, in Richland county, to the Ohio river. Name and style.
Corporate powers.

§ 2. The capital stock of said company shall consist of two millions of dollars, and may be increased by said company to five 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 eight directors, who shall be chosen by the stockholders of said company in the manner hereinafter prescribed, who shall Amount capital stock.
Directors to manage affairs.

Quorum to do business.

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.

Construction of railroad.

§ 3. The corporation hereby created shall have power to locate, construct, furnish, maintain and operate a railroad, as aforesaid, with all necessary side tracks, 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, personal and mixed, 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 are 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 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 said railroad, its depots, sidetracks, 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 accomodation 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 the 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 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 by the general laws now in force or which may hereafter be in force providing for the condemnation of right of way for purposes of internal improvement.

May unite with other roads.

§ 5. Said company shall have power to unite, consolidate or connect its railroad with any other continuous line of railroad, constructed or which may be constructed in this state, upon such terms as may be agreed upon between the companies so uniting, connecting or consolidating, and, for that purpose, full power is hereby given to said com-

pany to make and execute such contracts with any other company as will secure the objects of such connection, by lease or otherwise.

§ 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 of said company, 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.

May borrow money.

Secured by deeds of trust.

§ 7. All the corporate powers of said company shall be vested in and exercised by a board of directors, to consist of eight 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 having been given in two newspapers having circulation along the line of said railroad.

Powers of the directors.

§ 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 by publication for thirty days in a newspaper in this state, 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

Open books for subscription

Organization.

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 times and in such amounts as said directors may prescribe.

Right of way.

§ 9. 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 which shall become the property of the company by operation of law, as in the act provided, shall, upon the payment agreed or adjudged to be paid to the owner or owners of said land, as a compensation for the same, become the property of the said company, in fee simple.

Right to intersect railroad.

§ 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.

Liability of stockholders.

§ 11. 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 provided.

Certificate of secretary made evidence.

§ 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.

May receive gifts, etc.

§ 13. 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.

Towns and cities may take stock.

§ 14. The several counties in which any part of said railroad shall or may hereafter be located or that may lie on or near the line of said railroad, 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, in the manner hereinafter provided.

§ 15. 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 three 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.

Submitted to
legal voters.

§ 16. 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 thirty 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 thirty 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 electors 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 question, shall be "For subscription," it shall be the duty of the county court or board of supervisors of every such county, the supervisors and clerk of such township, and the corporate authorities of such city or town to subscribe, with[out] 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

Notice of elec-
tion.

Manner of
conducting elec-
tions.

Stock subscrip-
tions.

Issue of bonds.

Application of
election law.

coupons attached, for the same, at a rate not exceeding ten per cent. per annum, payable semi-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 registration 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.

Levy tax to
pay interest.

§ 17. 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 semi-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 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 for receiving and paying out said tax, a commission of one per cent. only. 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

Taxes paid to
county treasurer

property on which state and county tax is extended, and shall receive the same pay therefor as for like services 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.

§ 18. 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 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. Intersections

§ 19. 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 or lease to be unchangeable and perpetual, except at the option of said railroad company. Lease of right of way.

§ 20. 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 for any failure to make any such payment, the said board of directors may declare the said stock, with any payments made thereon, forfeited to the company, and may, at their option, proceed to sell any such unpaid and forfeited stock, at public auction, after giving thirty days' notice of the time and place of such sale. Nothing in this section shall be so construed as to deprive said company from maintaining any suit against any such delinquent stockholder upon his, her or their subscription. Stock deemed personal property and transferable.

§ 21. Said company shall be and are [is] hereby authorized and empowered to extend the said railroad, herein contemplated, from Danville, in Vermilion county, aforesaid, northwardly, to any point in this state, and also to construct, maintain and operate branch roads, not exceeding twenty- May forfeit stock. Extend roads.

five miles in length, from the main line of their aforesaid road, or from any point or points thereon, and in the construction, maintaining and operating the said extension and branch roads, in this section authorized, the said company are hereby vested with all the powers, rights, immunities and privileges as are in this act given and conferred upon them for building and operating the said road herein authorized to be built and operated.

Rates of toll.

§ 22. The board of directors of said company shall have power to establish such rates of toll for the conveyance of persons and property upon their said road as they shall, from time to time, by their by-laws, direct and determine, and to levy and collect the same for the use of the company.

§ 23. This act is hereby declared to be a public act, and shall be favorably construed for all the purposes herein expressed and declared, in all courts and places, and shall take effect and be in force from and after its passage.

APPROVED March 10, 1869.

In force March
24, 1869.

AN ACT to incorporate the Danville and Rosedale Railway Company.

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That William P. Chandler, Joseph G. English, Eben H. Palmer, Hiram W. Beckwith, John Ingle, jr., Josephus Collett, jr., and George H. McNeill, and their successors or assigns, be and they are hereby created a body politic and corporate, by the name and style of "The Danville and Rosedale Railway Company," with all the powers and authority incident to corporations.

Name and style.

Construction
of railroads, etc.

§ 2. Said corporation is hereby authorized and empowered to construct, build, operate and maintain a single or double track railway, with all necessary and convenient tracks, turnouts, side tracks, switches and appendages, from the city of Danville, in the county of Vermilion, state of Illinois, south, or south easterly, or in the direction of and to the Indiana state line, and consolidate, form a junction, unite with or lease to any railroad operating in or organized under the laws of the state of Indiana, and to extend said Danville and Rosedale Railway, from the city of Danville, northward, to or in the direction of Chicago, and to unite with or form a junction with or lease to any railroad company, approaching or running in the direction of Danville, from Chicago; such consolidation, union, junction or leasing, to be upon such terms and for such length of time as may be mutually agreed upon by them.

Route of road.

§ 3. Said corporation shall have power to build and operate one or more lateral branch railway lines, none of which shall be more than four miles in length from the main line, for the purpose of reaching coal and the transportation of the same. The capital stock of said corporation shall be fifty thousand dollars, and which may be increased, from time to time, at the pleasure of said corporation, not exceeding five hundred thousand dollars, and which may be divided into shares of one hundred dollars each, to be issued and transferred in such manner and upon such conditions as the board of directors of said corporation may direct.

Branch roads.

Amount 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 William P. Chandler, Joseph G. English, Eben H. Palmer, John Ingle, jr., and Josephus Collett, jr., 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 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 their board, by death, resignation or otherwise.

Corporate powers, how vested.

First board of directors.

§ 5. Said corporation are hereby vested with power to take and apply private property for the purposes of constructing, building, maintaining and operating said railway, for main tracks or tracks, side-tracks, switches, turn-outs, depot grounds, coal dumps, and for such other purposes necessary or incident thereto, for their purposes and in the manner prescribed by the general law of the state now in force or to be hereafter in force.

Private property may be taken.

§ 6. That the city of Danville, in the county of Vermilion, and the township through which the Danville and Rosedale Railroad shall pass, are hereby authorized, in the manner hereinafter provided, to contribute aid, by making donations or loaning the credit of said city or township, to assist the Danville and Rosedale Railway Company in constructing their railroad: *Provided*, that donations shall not exceed the sum of four thousand dollars per mile.

City to loan credit and contribute aid.

§ 7. Whenever twenty legal voters in said city of Danville shall apply, in writing, to the mayor of said city, to have an election ordered and held to determine whether said city shall make donations or loan the credit of said city, as the case may be, for the purpose hereinbefore specified, the purpose being specifically stated in said application, said mayor shall cause a notice published in all the newspapers in said city of the time and object of said election; which notice shall contain a statement of the amount to be voted for or against, and shall contain the

Submitted to legal voters.

Notice of election. of announcement that said election will be held at the usual places of holding elections in said city, and shall be published for three weeks, successively, in said newspapers—the first insertion being at least thirty days before holding said elections; and in case the mayor, when so applied to, shall refuse to order such election, twenty legal voters of said city shall have the power to call such election; and such election shall be held and conducted and returns thereof be made and canvassed as in case of the election of mayor of said city; and if it shall be found that a majority of the legal voters of said city shall have voted for such proposed donation or such loaning of credit, as the case may be, then the same shall be made or done upon the terms and conditions by the legal voters of said city voted.

Mode of voting.

Special meeting. § 8. Whenever twenty legal voters of any township, along the line of said railroad proposed to be built, shall apply, in writing, to the supervisor and town clerk or to the justice of the peace of such township to have a special town meeting called for the purpose of determining whether such township shall make donations or loan the credit of the township for the purpose hereinbefore designated, such supervisor and town clerk or the justice of the peace, as the case may be, shall give notice, as now prescribed by law for special town meetings, for such elections; and if a majority of the legal voters of such township shall have voted for such donation or such loaning of credit, then the same shall be made and done upon the terms and conditions by said legal voters voted; and in case of refusal of said supervisor and town clerk or said justice of the peace, twenty legal voters of such township may call such special town meeting: *Provided*, that the application in this section mentioned and said notices shall specifically state the amount and conditions of such donation or loaning of credit to be voted for or against: *And, provided, further*, that upon like notice being given, said election may also be held at any regular town meeting.

May levy tax. § 9. In case action shall have been taken by said city or said township in favor of said donation or loaning of credit, according to the provisions of this act, the proper authorities of said city or such township shall levy and collect taxes, as other taxes are authorized to be levied and collected, to promptly meet any obligations assumed under and by virtue of this act.

Borrow money. Issue bonds. § 10. The mayor and council of the city of Danville are authorized to borrow money and issue the bonds of said city, to be signed by the mayor and clerk of said city, to promptly provide money for the purpose for which the legal voters of said city shall have voted, as aforesaid, and may negotiate the same, upon such terms and make the same payable at such time or times and at such place or

places as they shall deem best: *Provided*, that said bonds shall not bear a greater rate of interest than ten per centum per annum; or in case of the loaning of the credit of said city to said railroad company, bonds may be issued, and in the manner herein provided to be delivered to said railroad company, upon the terms and conditions by said city voted, as aforesaid.

§ 11. In case such township shall have voted to make donations to said railroad, as hereinbefore provided, said township may borrow money to promptly meet and pay such donation and issue bonds therefor, to be signed by the supervisor and town clerk, and negotiate the same for such sum or sums and payable at such time or times and at such place or places as they may deem best; and in case of the loaning of credit of such township, for the purpose aforesaid, bonds may be issued as aforesaid and delivered to said railroad company upon the terms and conditions by said township voted: *Provided*, that said bonds shall not bear a greater rate of interest than ten per centum per annum.

Township may borrow money and issue bonds.

§ 12. In case said city or said township shall issue bonds, as hereinbefore provided, said city or said township shall have power to levy and collect taxes as other taxes are levied and collected, to pay accruing interest on said bonds and to pay the principal sum as it shall become due.

Levy and collect tax.

§ 13. Said corporation shall have power [to] take, hold and mortgage real estate.

Possession of real estate.

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

APPROVED March 24, 1869.

AN ACT to incorporate the Danville, Tuscola and Western Railroad Company. In force April 9, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That William H. Lamb, Jacob M. Smith, George P. Olmstead, Joseph G. Cannon, James R. Hammet, George W. Henson, Thomas H. Macoughtry, John L. Tincher, and William P. Chandler, are hereby made and constituted a body corporate and politic, by the name and style of "The Danville, Tuscola and Western Railroad Company," with perpetual succession; and, by that name and style, shall be capable in law and in equity 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 no further; and, in their corporate name, to sue and be sued, to plead and

Corporators.

Name and style.

Corporate powers.

be impleaded, to contract and be contracted with ; to have a common seal, and alter, change or renew the same 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 herein set forth.

Location and
construction of
road.

Route of road.

General powers

§ 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 the city of Danville, in the county of Vermilion, and state of Illinois, and running from thence, on the most practicable route, to be determined by the directors of said railroad or their successors in office, from said point to the town of Tuscola, in the county of Douglas, and state of Illinois, and thence, in a westerly direction, across to the Illinois Central Railroad, and on the most practicable route, to be determined by said directors, as aforesaid, to intersect or join the St. Louis, Shelbyville and Detroit Railroad, at any point deemed most advisable by said directors ; and the said company are further authorized to use and operate said Danville, Tuscola and Western Railroad ; and shall have power and authority to regulate the time and manner in which goods, effects and other property 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 and property thereon, and for the storage of merchandize or other property under their charge ; and shall have power to erect and maintain all necessary side-tracks, turn-outs, depots, stations, shops and other buildings, and all necessary machinery, for the accommodation and operation of said railroad.

First board of
directors.

Organization.

§ 3. The following named persons shall constitute the first board of directors, to-wit : Wm. H. Lamb, Jacob M. Smith, Joseph G. Cannon, James R. Hammet, George W. Henson, Thomas H. Macoughtry, George P. Olmstead, James E. Calloway, John L. Tincher, William P. Chandler, Charles L. Eaton, Hiram Beckwith, and Malden Jones. Said directors shall organize the board within three (3) 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 hold their office until the first Wednesday in October, following their organization, and until their successors are elected and qualified, as herein provided. 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.

§ 4. The within named directors shall, within ninety (90) days after their organization, in case there has been no election; and in the event there has been an election, then such elected directors shall give at least thirty (30) 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 (5) per centum paid thereon. Said directors or their successors may proceed, by their engineers, to survey, locate and construct said railroad, and obtain the right of way therefor, in the manner prescribed by the general laws now in force or which may hereafter be in force providing for the condemnation of land for purposes of internal improvement. 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.

Duties of the directors.

Open books for subscription.

Certificates of stock.

§ 5. Said board of directors, and each succeeding board, shall give at least thirty (30) days' notice, previous to the first Wednesday in October, of each year, of an election by the stockholders of a board of directors, to serve the succeeding year. Each board of directors shall hold their office for the period of one year and until their successors are elected and qualified, and shall have the power of choosing one of their number president and appointing a secretary, treasurer, and other necessary officers of said company. The board of directors of said company shall consist of not less than nine or more than thirteen members, at least seven of whom shall be chosen from the stockholders resident within the counties through which the road is located. All elections shall be held at the office of said company. At every 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 person receiving the largest number of votes shall be declared duly elected. All elections for directors shall 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 may have been assigned to him within thirty (30) days previous to said election or upon any stock upon which there is any due and unpaid installments.

Annual election.

Appointment of officers.

Judges of elections.

On refusal to give notice of election.

§ 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 may, in writing, require the secretary to give thirty (30) days' notice, so required for any

election of directors, and at the expiration of the time the stockholders present shall proceed to elect. Directors so elected shall constitute the legal board.

Place of doing
business.

§ 7. The general offices of the company shall be located in the town of Tuscola, 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 any other point on the line of said road, by the action of two-thirds of the directors, at the annual meeting or at any special meeting of said board of directors called for the purpose of determining the location of the offices. There shall be kept, at the secretary's office, 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.

Construction of
road.

Levy taxes.

§ 8. The several counties, cities, 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, 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 several counties, cities, incorporated towns and townships, as aforesaid, are further authorized to issue bonds, drawing interest at the rate of ten (10) per centum, per annum, which said bonds shall be negotiable and payable at such places, either within or without this state, as the corporate authorities of such counties, cities, incorporated towns and townships may deem advisable, in not less than two years nor more than twenty years after the date of the same; and in case any bonds are issued or authorized to be issued in pursuance of any vote by any such county, city, incorporated town or township, under the provisions of this act, it shall be the duty of the corporate authorities to sign any such bonds that may be so issued—that is to say, when bonds are issued by any county, such bonds shall be signed by the county judge thereof and countersigned by the clerk and sheriff thereof; when bonds are issued by a city they shall be signed by the mayor and countersigned by the clerk; when bonds are issued by an incorporated town they shall be signed by president of the board of trustees of such town and countersigned by the clerk thereof; and when bonds are issued by a township such bonds shall be signed by the supervisor of such township and countersigned by the clerk of the same: *Provided*, that no subscription shall be made or tax levied until the same shall be voted for, as hereinafter provided.

Issue bonds.

Signature.

Submitted to
legal voters.

§ 9. Whenever twenty-five voters of any such county, city, incorporated town or township, on or near the line of said road, shall make a written application to the county

clerk of such county or to the clerk of any such city, incorporated town or township, requiring an election by the legal voters of such county, city, incorporated town or township to determine whether such subscription shall be made and such tax levied, specifying in such application the amount, the clerk shall file such application in his office and immediately give thirty days' notice, in the manner now required by law, for an election to be held by the legal voters of such county, city, incorporated town or township, at the usual places for holding elections, in such county, city, incorporated town or township; and such election shall be held and conducted, in all respects, and the returns thereof made as in case of annual elections; at which election or elections the qualified voters of the respective counties, cities, incorporated towns and townships shall vote "For subscription" or "Against subscription;" and if a majority of the votes cast at such election, by voters voting on that subject, shall be "For subscription," then the bonds of such county, city, incorporated town or township shall be issued by the corporate authorities thereof, in accordance with section eight (8) of this act, and be delivered to the said company; 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 are received at any general election. All bonds issued in pursuance of section eight of this act shall be irrevocable and negotiable.

Time and manner of election.

§ 10. If any county, city, incorporated town or township shall subscribe to said capital stock, under the provisions of this act, and shall issue bonds thereon, said bonds shall be in full payment of their said subscriptions, and the county court of such county, and supervisor of such township, and the corporate authority of such incorporated town or city shall, annually, appoint some suitable person to represent and vote upon the stock so subscribed and levied, as aforesaid.

Stock subscriptions.

§ 11. It shall be the duty of the respective authorities of the several counties, townships, cities and incorporated 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, cities, incorporated towns and townships, to pay the interest annually accruing on such bonds, and to liqui-

Special tax to pay interest.

date the principal of said bonds within the time specified in the same for their payment. Said taxes shall be levied on the assessments made by the assessors of their respective counties, townships, cities and incorporated 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 incorporated town, as a special railroad tax, and collected by the respective collectors of such counties, townships, cities and incorporated towns, at the same time and in the same manner as provided by law for collecting state and county taxes; 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 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 services for state and county purposes; and the respective authorities of such cities and incorporated 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 incorporated towns: *Provided*, that in case the said authority for any 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.

Taxes paid to
county treasurer

Duties of the
county courts.

Compensation.

Intersections.

§ 12. 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 man-

ner not to materially impair the same in its usefulness: Expenses.
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 hereafter be constructed, the expenses 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.

§ 13. 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, or 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. May lease the right of way.

§ 14. Said company shall have power to contract for the building of said railroad, or any portion thereof, by their 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 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 in addition to the powers hereinbefore granted, the said railroad company shall have the power to transport and carry the mails of the United States, on such terms as may be agreed upon. Machinery, etc.

§ 15. 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 said board of directors, after thirty (30) 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 costs of sale, to be paid to the delinquent stockholder. Stock deemed personal property and transferable.

§ 16. Said company shall have power, by and with the consent of the owners of three-fourths of the capital stock of said company, to consolidate and connect its railroad with any other continuous line of railroad now constructed, or which may hereafter be constructed, in this state, 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 May connect with other roads

contracts with any other company as will secure the object of said consolidation or connection.

May borrow money.

§ 17. Said railroad company are hereby authorized to borrow money, from time to time, on the credit of the 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, for such purpose; and they may, by their president or other officers or agents, sell, dispose of or negotiate such bonds, or the stock of such 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.

Bonds may be converted into capital stock.

§ 18. 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.

Dividends, how and when declared.

§ 19. 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 proportion to their respective shares.

Time of commencement and completion of road.

§ 20. The said company shall be allowed three (3) years from the passage of this act for the commencement of said railroad, and in case at least twenty (20) miles of the same shall not be completed in ten (10) years thereafter, the privileges herein granted shall be forfeited.

Mortgage on real estate in payment of subscriptions.

§ 21. Said company are hereby authorized to take and receive from the several subscribers to the capital stock, conveyances, by deed, of real estate, and also 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 (10) per cent. annually, and be payable at such time as said directors and such subscribers may agree.

§ 22. The capital stock of said company shall consist of two hundred thousand dollars, and may be increased to

one million of dollars, to be divided into shares of fifty dollars each.

§ 23. The board of directors shall have power to make all needful rules, regulations and by-laws for the government of said company, not provided for [in] nor inconsistent with this incorporating act. Rules for government.

§ 24. Said corporation shall transport fire-wood and fuel of every description over its railroad, whenever the same shall be offered for transportation, at rates as low as the rates said company shall charge for the transportation of other freights of a similar class. Articles of and for transportation.

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

APPROVED April 9, 1869.

AN ACT to incorporate the Decatur and State Line Railway Company. In force March 24, 1869.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That William C. Shirley, Lee A. Hall, Robert Hoxey, Edward O. Smith, Orlando Powers, William L. Hammer, William H. Riggs, William Y. McCord, James Bishop, John McNulta, J. W. Strevell, M. L. Sullivant, and J. J. Peddecord, all of the state of Illinois, and J. C. Prescott, of St. Louis, Missouri, and such other persons as they may associate with them, and their successors, are hereby created a body corporate and politic, by the name and style of "The Decatur and State Line Railway Company," with perpetual succession; and, by that name and style, shall be capable, in law or equity, of suing and being sued, impleading 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 or personal or mixed, so far as the same may be necessary for the purposes herein mentioned; and may have a common seal, and the same 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. Corporators.
Name and style.
Corporate powers.

§ 2. The Decatur and State Line Railway Company shall have full power to locate, construct, finish and maintain a railway, with one or more tracks, commencing at some suitable point, at or near the city of Decatur, in Macon county, Illinois, and running from thence to a point on Locate and construct road.

General powers
for construction
of road.

Lake Michigan, in the state of Illinois, upon the most eligible route, and to transport, take and carry property and persons upon said railway, 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 railway, said company shall have power and authority to lay out, designate and establish their road, not exceeding in width one hundred (100) feet, through the entire line thereof, and may take and appropriate to their own uses 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 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 or appurtenances to said road; may take, have, hold and use any land, on either or both sides of said road, not exceeding in width three hundred (300) feet. Said company may take all such lands as gifts or purchases, or by making compensation, as above provided.

May enter upon
and take land.

§ 3. Said company shall have full power and authority to enter upon any lands of the state or 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 the purpose of procuring the necessary sand, gravel, timber and other material 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.

Right of way.

§ 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.

Amount capital
stock.

§ 5. The capital stock of said company shall be five millions (5,000,000) [?] of dollars, with power to increase the same, as the wants of said company shall require, to any amount not exceeding five millions of dollars, which shall be divided into shares of one hundred (100) dollars each, which shall be deemed personal property, and which may be issued, transferred and registered in such manner and at such

places as may be prescribed by said company; and they 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 subscription or installment or portion thereof, as they may deem necessary, and may, in addition, declare all stock upon which any installment or any part thereof 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 said company, through the board of trustees. Stock, forfeited.

§ 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. The first meeting shall be held at Decatur, Illinois, and the subsequent meetings at such times and places as shall be provided by said company. Said first meeting may be held at any time when two-third ($\frac{2}{3}$) of the above named directors shall meet together, with or without previous notice. Said incorporators or directors shall hold their office until their successors are elected and qualified; and their successors shall be elected and shall 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 said records shall be kept shall be *prima facie* evidence of the truth of such records in any court or place of judicature, in this state, wherein said company shall be a party. Vacancies in the board of directors may be filled by two-thirds ($\frac{2}{3}$) 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 said 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 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 First board of directors.

Term of office.

Record of proceedings.

Open books for subscription.

Duties of the treasurer.

at pleasure: *Provided*, that due notice of such change be given as may be provided 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.

Rules for government.

§ 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 and not inconsistent with the constitution and laws of the United States or of this state. It may cross, with its road or branches, any other railroad, highway, dyke or embankment or water course, so as not to impair its usefulness. The property of said company shall be liable to taxation as other property.

May borrow money.

§ 8. 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 rates 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.

Certificate of secretary made evidence in law.

§ 9. The certificate of the secretary of said company, under the seal of the 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.

No forfeit for non-completion of road.

§ 10. 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.

May unite with other roads.

§ 11. Said company shall have power to connect and unite its railroad with any 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, 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 connections.

Transportation.
Rates of fare.

§ 12. 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 transportation of passengers 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 of common carriers.

Crossings, etc.

§ 13. Whenever it shall be necessary to intersect or cross any other railroad or highway, dyke, embankment, stream, et cetera, the terms and manner in which such

crossing or center section shall be made, if not agreed upon by the proper parties, shall be settled and the damage fixed by commissioners appointed to assess the damages, as in other cases: *Provided*, that the said company shall restore such railroad, highway, dyke, embankment or stream, 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 any navigable waters to a greater extent than the nature of the case requires.

§ 14. The several counties, cities, townships and incorporated towns, along or near the route of said road or that are in any way interested therein, may, in their corporate capacities, subscribe to the stock of said company or make donations thereto, to aid in constructing or equipping said railway: *Provided*, that whenever twenty-five legal voters of any county, city, township or incorporated town shall present to the clerk thereof a written application, requesting that an election shall be held to determine whether such county, city, township or incorporated town shall subscribe to the capital stock of said company or make a donation thereto, to aid in constructing or equipping said railway, stating the amount and whether subscribed or donated and the ratio of interest and the times of payment of the bonds to be issued in payment thereof, such clerk shall receive and file such application, and shall forthwith proceed to post written or printed notices of an election to be held by the legal voters of such county, city, township or incorporated town, which notice shall be posted in six of the most public places of such city, township or incorporated town, and in six of the most public places of each precinct of such county, for thirty 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 city or incorporated town, and additional returns to one or more of the corporators under this act or directors chosen in pursuance thereof. Each elector shall vote at such elections for subscription or donation, as the case may be; and if a majority of the votes cast at such election shall be in favor of such subscription or donation: (*Provided*, that the last registration of voters had previous thereto shall be the registration, as required by law for any such election,) then the corporate authorities of such county, city, township or incorporated town, (in towns organized under the township organization laws of this state, the supervisor of such town or township) shall subscribe to the stock of said company or donate thereto, as shall be determined at such election, the amount so voted at such election, and shall issue the bonds of such county, city, township or incorporated town, to said railway

Towns and cities may take stock.

Notice of election.

Submitted to legal voters.

Supervisor may subscribe stock.

Issue of bonds.

company, in such denominations as said company shall designate—the interest on said bonds to be paid annually or semi-annually, as may be mutually agreed upon, at a rate not to exceed ten per cent. per annum, and in all other respects the said bonds shall be issued as provided at any such election. Any such county, city, township or incorporated town subscribing stock or donating to said railway, as aforesaid, shall, by its proper authorities, annually thereafter, levy and collect a sufficient tax on its assessed property to pay the interest on its bonds so issued as aforesaid.

Levy tax to
pay interest.

Articles of and
for transporta-
tion.

§ 15. Said company shall transport firewood, coal and other fuel, whenever the same shall be offered for transportation, at rates as low as said company shall charge for the transportation of other freight of a similar class.

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

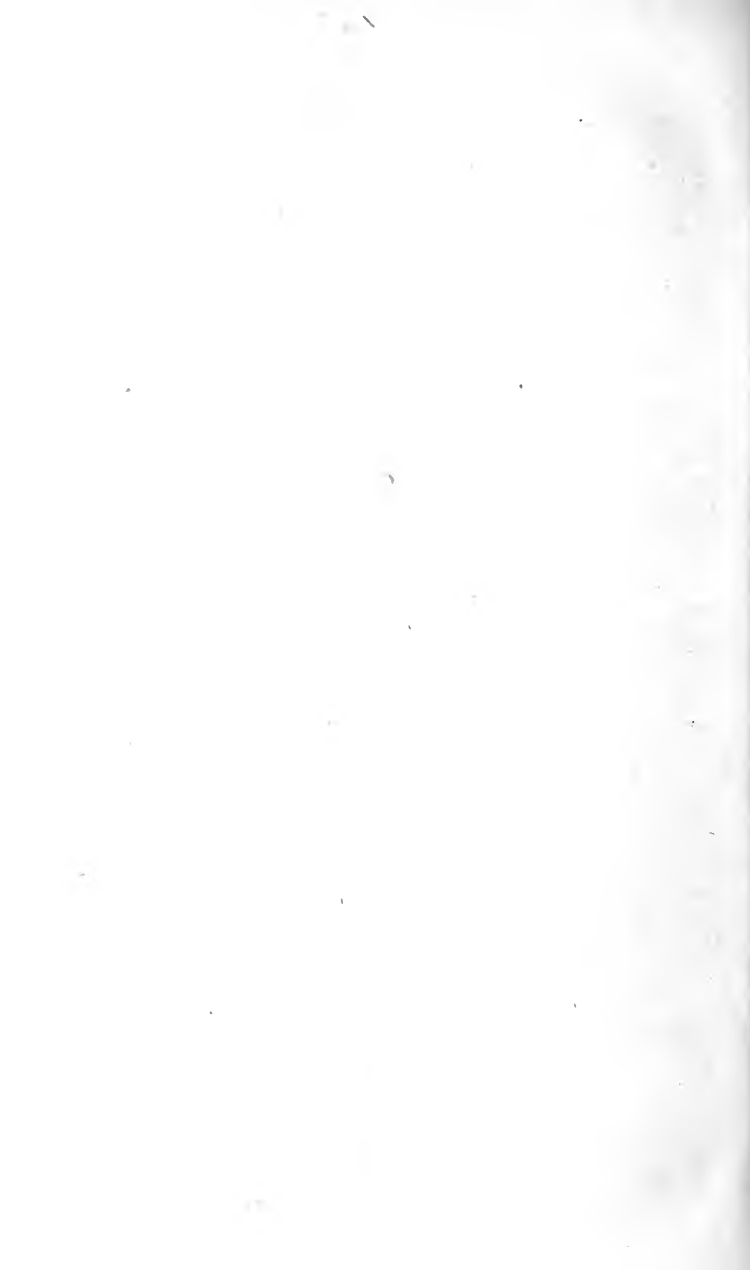
APPROVED March 24, 1869.

DEPARTMENT OF STATE, SPRINGFIELD, ILLINOIS,
October 14, 1869.

I, EDWARD RUMMEL, 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: [].

EDWARD RUMMEL,
Secretary of State.

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