

PRIVATE LAWS

OF

1655

THE STATE OF ILLINOIS,

PASSED AT THE

NINETEENTH GENERAL ASSEMBLY,

BEGUN AND HELD AT THE CITY OF SPRINGFIELD,

JANUARY 1, 1855.

OHIO STATE

UNIVERSITY
SPRINGFIELD:

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1855.

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continue in office until the second Monday in January, 1857. There shall be an annual meeting of the stockholders on the first Monday in January in each year thereafter to elect a president and three directors, their term to commence on the second Monday; and at such annual meetings a statement shall be exhibited of the affairs of the corporation and such dividends made arising from their fees, profits, &c., as shall be deemed advisable by a majority of said president and directors.

§ 5. The president and directors or a majority of the board may from time to time make such by-laws and rules for the government of the corporation as to them shall seem expedient, not inconsistent with the laws of this state and with this act, and they shall appoint such subordinate officers and agents as may be necessary and proper for the execution of the business of the corporation. By-laws.

§ 6. The form of certificates of stock and mode of transfer shall be regulated by the by-laws of the corporation; and a lien is hereby created in favor of the corporation on the stock belonging to each individual stockholder, for all debt due or owing by him to the corporation, by subscription or otherwise; and no stock shall be transferred by any shareholder until he shall have first paid or otherwise secured all such debts to the satisfaction of the president and directors.

§ 7. In case of the death or resignation of the president or any directors the board shall elect a successor, to continue in office until the vacancy is filled at the next annual meeting of the stockholders. Vacancies filled.

APPROVED Feb. 14th, 1855.

AN ACT to incorporate the Quincy Water Company.

SECTION 1. *Be it enacted by the people of the state of Illinois, represented in the General Assembly,* That John Wood, Charles A. Savage, Thomas Redmond, Abraham Jonas, Charles Meertz, Nehemiah Bushnell, William H. Benneson, Amos Green, Henry Hayes, Samuel Holmes, William Carlin, I. N. Morris and their associates, successors, heirs and assigns, be and they are hereby created a body politic and corporate, with perpetual succession, by the name and style of "The Quincy Water Company," Corporators. and by that name they and their successors shall be capable in law of contracting and being contracted with, su- Name and style.

ing 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.

§ 2. The corporation hereby created shall have full power and authority to locate and from time to time change, relocate, construct, reconstruct and fully finish, perfect and maintain all such works, dams, canals, water reservoirs, water pipes, mills, pumps, steam engines, aqueducts, hydrants, all such houses and buildings necessary for water works to supply with water the city of Quincy, in the county of Adams, and for that purpose the said company shall, with the consent of the city council, have full power and authority to lay out, designate and establish their said

May take land.

works, and may take and appropriate to their own use any lands necessary for said water works, not exceeding sixty feet in width, along the entire line from the water reservoirs to and through any part of the said city of Quincy, and not exceeding three hundred acres of land in said county of Adams, for the purpose of water reservoirs, dams, dikes and depots—said company taking all such lands by gift, purchase or condemnation and making satisfaction for the same as hereinafter provided; and said company shall have full power and authority to lay pipes for the purpose of conducting the water in any of the streets, avenues and alleys of said city : *Provided*, that no permanent injury or damage shall be done to any street, lane or highway in said city.

Provide.

Enter upon and take any lands.

§ 3. The said company and under their direction and by their authority their agents, servants and workmen are hereby authorised 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 set out and ascertain such parts as they shall think necessary and proper for the construction of said water works and for all purposes connected with said water works; which said company by the last preceding section is authorised to have, take and appropriate any lands, and to fell and cut down all timber and other trees standing within fifty feet of the line of said water works—the damages occasioned by the felling of said trees, unless otherwise settled, to be assessed and paid for in manner hereinafter provided for assessing and paying damages for land taken for the use of said water company, the said company doing as little damage as possible in the execution of said pow-

er hereby granted, and making satisfaction in the manner hereinafter mentioned for the damages which may be sustained by the owners or occupiers of said land.

§ 4. The said company shall have power to take, receive and hold all such voluntary grants and donations of land and real estate for the purposes of said water works as may or shall be made to said company to aid in the construction, maintenance and accommodation of said water works; and said company may contract and agree with the owner or occupiers of land upon which said company may wish to construct said water works or which said company may wish to use for the purpose of procuring stone, sand, gravel, earth or other materials to be used for dams, walls or otherwise in or about the construction, repairs and possession of said water works or which said company may deem it necessary to use or occupy in any manner or for any purpose or purposes connected with said water works; which said company is authorised and empowered by this act to have or appropriate any lands and to take and receive grants and conveyances of any and all interests and estates therein to them and their successors and assigns in fee or otherwise; and in case said company cannot agree with such owner or owners or occupants of such lands as aforesaid then the price and value of such lands may be fixed, estimated and recovered in the manner and form provided for taking lands for roads, canals or other public works as prescribed by the act to amend the law condemning right of way for purposes of internal improvement, approved June 22, 1852; and the company hereby created shall, in all things relating to condemning of land and right of way, be governed by the provisions of the last mentioned law, anything therein to the contrary notwithstanding.

§ 5. The capital stock of said company shall not exceed five hundred thousand dollars, to be divided into shares of twenty dollars each, to be subscribed for and paid 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 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 city of Quincy and its inhabitants with water for the term of fifty years : *Provided*, the said company shall be required to commence, in good faith, the construction of said water works in two years; to construct and put into operation their said water works, according to the terms of this charter, within five years from

Receive title.
grants, &c.

Right of way.

Capital stock.

the passage of this act, which shall be taken and received as a public law in all courts and places whatever.

Corporate powers § 6. The corporate powers of said company shall be vested and exercised by a board of directors, to consist of not less than seven nor more than thirteen in number, and such officers, agents and servants as they shall appoint.

Board of directors. The first board of directors shall consist of the persons whose names are mentioned in the first section of this act, who shall hold their offices until their successors are elected and qualified. Said directors shall open books for the subscription to the capital stock of said company in the city of Quincy and at such other points as they may deem proper; and whenever stock to the amount of fifty thousand dollars shall have been subscribed then the said directors shall give public notice thereof and appoint a day for the election of a board of directors; and when said new board of directors shall have been elected and qualified then the duties of said first named directors shall cease; and the directors of this company may enact and ordain all such

By-laws. by-laws and regulations, not inconsistent with the provisions of this act, as may be necessary for the regulation of the election of directors and other officers of this company and for the regulation and management of the concerns of the said company.

§ 7. The said company may accept subscriptions to their stock from the city of Quincy, in its corporate capacity, to any amount, not exceeding one hundred thousand dollars; and the city of Quincy is hereby authorised to subscribe for shares of stock in the Quincy Water Company, in any sum, not exceeding one hundred thousand dollars, and which stock so subscribed for shall be under the control of the city council of said city in all respects as stock subscribed by individuals: *Provided*, that in subscribing for said stock the city council shall act and in all things connected therewith be governed by the provisions of sections 2, 3 and 4 of "An act to authorise the city of Quincy to subscribe to the stock of the Northern Cross Railroad Company," approved January 26th, 1853; which said three sections shall, for all and every purpose relating thereto, be considered as part of this act.

City of Quincy to subscribe stock.

Previous.

Borrow money. § 8. The said company is hereby authorised from time to time to borrow such sum or sums of money as may be necessary for completing, finishing or enlarging their said water works, and to issue and dispose of their bonds 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 under such terms and regulations as shall or may be provided for by the by-laws of the said company or adopted by the board of directors. The office of said company

shall be located in the city of Quincy, and the directors herein named are required to organize the board by electing one of their number president and by appointing a secretary and treasurer; and the said company shall have power to charge for the supply of water to families, mills, distilleries, breweries, fire companies or to any person or persons and bodies corporate applying to said company for a supply of water such sums of money per annum as shall be lawfully established by the by-laws of said company.

President.

§ 9. The said company shall annually or semi-annually make such dividends as they may deem proper of the net profits of said company among the stockholders thereof in proper proportion to their respective shares.

APPROVED Feb. 13, 1855.

AN ACT to amend the charter of the Illinois River Bridge Company, of Ottawa. In force Feb. 15, 1855.

SECTION 1. *Be it enacted by the people of the state of Illinois, represented in the General Assembly,* [That] the organization of the Illinois River Bridge Company, of Ottawa, as made under and by virtue of an act entitled "An act to authorize the building of a bridge across the Illinois river, at Ottawa," approved January 27, 1853, and "An act to amend the charter of the city of Ottawa," approved March 1, 1854, and "An act to amend the township organization law," approved February 28, 1854, be and the same is hereby repealed.

Acts repealed.

§ 2. The subscriptions made to the capital stock of said company and the bonds issued by any town in La Salle county, in pursuance of the act above recited or either of them and in pursuance of a vote of such town are hereby declared legal and valid.

Subscription valid.

§ 3. In addition to the rates of toll now provided by law said company are authorised the following rates of toll for crossing their bridge: For each horse, mule or ass and rider, 10 cents; for each head of loose horses, cattle, mules or asses, three cents; for each head of hogs or sheep, one cent; and they are authorised to charge one-third of the said rate of toll in addition to persons not residing in La Salle or Livingston counties.

Rates of toll.

§ 4. The sale of bonds which have been made by the towns or either of them who have subscribed to the capital stock of said bridge is hereby legalized, and the holder of any such bond may surrender the same to the town

Sale of bonds legalized.