

OF THE  
UNIVERSITY OF ILLINOIS.  
**PRIVATE LAWS**

OF THE

**STATE OF ILLINOIS,**

**PASSED BY**

**TWENTY-SIXTH GENERAL ASSEMBLY,**

**CONVENED JANUARY 4, 1869.**

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**VOLUME IV.**

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**SPRINGFIELD:**  
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**1869.**

## WATER WORKS.

In force March 31, 1869. AN ACT to incorporate the Riverside Water and Gas Works Company.

- Corporators.** SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That David A. Gage, Emery E. Childs, Leverett W. Murray, J. Trumbull Smith, Elson T. Wright, Charles Stanton, Henry E. Seelye, and their associates and all other persons who shall become stockholders in the company hereinafter mentioned, are hereby constituted a body corporate, by the name of
- Name and style.** "The Riverside Water and Gas Works Company;" and, by such name shall have perpetual succession, for the purpose of furnishing water and of manufacturing and supplying gas, for use in or upon the streets, avenues, parks and public places, and in the public and private buildings upon any lands now owned or leased, or which may hereafter be owned or leased, within the towns of Lyons, Cicero or Proviso, in Cook county, of this state, by the association known as "The Riverside Improvement Company," or by its successors, grantees or assigns, or upon any lands in the vicinity thereof; and, for that purpose, said company shall possess all the necessary and incidental power, and shall be capable in law of exercising all the powers and authority hereinafter conferred.
- Capital stock.** § 2. The capital stock of said corporation shall be one hundred thousand dollars, with power to said company to increase the same, from time to time, as its business may require, to a sum not exceeding one million of dollars. Such capital stock shall be divided into shares of one hundred dollars each, and shall be deemed personal property, and be transferable in such manner as shall be prescribed by the by-laws of the company. Books of subscription to said capital stock shall be opened at such times and places and under such regulations as shall be prescribed by the board of directors; and the directors may require payment of subscriptions to the capital stock at such times and in such installments as they may deem proper, under the penalty of forfeiting all stock and previous payments thereon, and said company may sue for and recover all such subscriptions.
- Powers vested in directors.** § 3. The stock, property and affairs of said corporation shall be managed by a board of directors, a majority of whom shall constitute a quorum for the transaction of business. And the corporators hereinbefore named shall be the board of directors for the first year after said company shall commence business; but either of the persons above named, on resigning, may designate a person to fill the vacancy occasioned by such resignation for the unexpired

term. After the first year the number of directors shall be not less than three nor more than thirteen, who shall be annually elected by the stockholders at such time and place and upon such notice as shall be prescribed by the by-laws of the company; and the election shall be made by such of the stockholders as shall attend for that purpose, either in person or by proxy; and in such election each share of stock shall entitle the lawful holder thereof to one vote.

§ 4. Each director in said corporation shall be a stockholder therein, and shall hold his office until his successor shall be duly elected or appointed; and in case it shall at any time happen that an election of directors shall not be held on the day designated in the by-laws for annual the election, said corporation shall not for that reason be deemed dissolved, but it shall be lawful to hold an election for directors on any other day in such manner as shall be provided in said by-laws.

Directors to be stockholders.

§ 5. The said directors shall appoint one of their number to be president; and they may appoint such other officers and agents as they shall deem necessary; and in case a vacancy shall happen among the directors, it may be filled for the unexpired term by the remaining directors. The directors may also, from time to time, make and establish such by-laws, rules and regulations as they shall deem expedient touching the government of said corporation, the management and disposition of its property and effects, the duties and conduct of its officers and agents, the election and meeting of the directors, and all matters which may appertain to the concerns of said company; and they may, from time to time, remove all officers and agents appointed by them and appoint others in their places, and fill all vacancies in the offices.

Appointment of president.

§ 6. The corporation hereby created shall have power, from time to time, to purchase or lease and hold such real or personal property as may be necessary for carrying out the objects and exercising the powers hereinbefore or hereinafter mentioned, and may erect, upon any real estate so purchased or leased, any buildings or structures necessary for providing water or manufacturing gas for the purpose aforesaid; and may furnish, for compensation, such quantities of water as may be required for use upon any of the lands mentioned in the first section of this act or upon any of the streets, avenues, parks or public places, upon the same or connected therewith; and said corporation may also manufacture and furnish and sell such quantities of gas as may be required for lighting said streets, avenues, parks and public places, or any public or private buildings erected upon said lands or any part thereof, or upon any lands in the vicinity of the same, in the towns of Lyons, Cicero and Proviso, in Cook county; and, for the purpose aforesaid, the said corporation is hereby authorized to lay down such conductors as may be

May purchase and hold real estate.

necessary for conducting water or gas through or into any of said streets, avenues, parks or public places, or into any of said public or private buildings; and it may also construct such sewers, in connection with said water conductors, as may be required for the convenient use thereof: *Provided, however,* that the conductors and sewers aforesaid which may be laid through any of the public streets, avenues or public places aforesaid, shall be laid under such regulations as may be prescribed by the municipal authorities of the town or city where the same shall be constructed: *Provided,* that this act shall be so construed that said Riverside Water and Gas Works Company shall be and they are hereby prohibited from purchasing, owning, leasing or occupying any lands or streets, to construct or maintain any water or gas works, or to lay down any gas or water pipes or conductors, or to furnish gas or water, within the present limits of the city of Chicago or within the limits of said city as they may be extended under any act passed by this general assembly.

Issue stock for  
property pur-  
chased.

§ 7. The directors shall have power to issue and deliver stock of said corporation in payment for any property purchased as hereinbefore authorized, to the amount of the purchase price thereof; and the stock so issued shall be deemed and taken to be full paid stock and not subject to any further calls, and the same shall be deemed to have been issued pursuant to a subscription, to the amount thereof, toward the capital stock of said company, with the like effect as if the same had been actually subscribed for and paid for in full, in cash, by the party or parties to whom the same shall be so issued: *Provided, however,* that nothing herein contained shall be construed to authorize an issue of stock to an amount exceeding the capital stock of said company.

General powers.

§ 8. The said corporation may have and use a common seal, and may alter or renew the same at pleasure; and it shall be capable of suing or being sued, and shall have the same remedies for the protection of its rights and the enforcement and collection of demands as natural persons; and said corporation may enter into all such contracts as may be necessary for furnishing water or manufacturing and selling gas, pursuant to this act; and all such contracts may be entered into under the seal of said corporation, or without the use of the same, as the board of directors shall determine.

Dividends.

§ 9. No dividend shall be declared to the stockholders of said corporation, except out of the actual earnings thereof; and in case any dividend shall be otherwise declared, whereby the capital stock of the company shall be impaired, the directors assenting to the same shall be jointly and severally liable for all the debts of the company then existing: *Provided, however,* that no action shall be brought

against any such director by any creditor of the company until he shall have first sued said company and an execution against it in his favor shall have been returned unsatisfied in whole or in part.

§ 10. Each and every stockholder shall be individually liable for all the debts and liabilities of said corporation to an amount equal to the amount of stock held by him, until he shall have paid for said stock in full, in cash or by property sold and transferred to the company, as hereinbefore authorized; but no stockholder shall be personally liable for the payment of any debt contracted by said corporation which is not to be paid within one year from the time the debt is contracted, nor unless a suit for the collection of the debt shall be brought against said corporation within one year after the debt shall become due. And no suit shall be brought against any stockholder in said corporation, for any debt so contracted, until an execution against said company, issued upon a judgment recovered for said debt, shall have been returned unsatisfied in whole or in part.

Liability of stockholders.

§ 11. No person holding stock in said company as an executor, administrator, guardian or trustee, and no person holding such stock as collateral security, shall be personally subject to any liability as a stockholder of said company; but the person pledging such stock shall be considered as holding the same and shall be liable as a stockholder accordingly; and the estate and funds in the hands of any such executor, administrator or trustee shall be liable in like manner and to the same extent as the testator or intestate or the ward or person interested in such fund would have been if he had been living and competent to act and held the stock in his own name. Every such executor, administrator, guardian or trustee shall represent the shares of stock held by him as such executor, administrator, guardian or trustee, at all meetings of the company, and may vote as a stockholder; and every person pledging his stock may, in like manner, represent the same and vote accordingly.

Non-liability.

§ 12. The said corporation may, from time to time, borrow such sum or sums of money as may be necessary to carry out the purposes of this act, in the whole not exceeding the capital stock actually paid in, and may issue and dispose of their bonds for any amount so borrowed; and it is hereby authorized to mortgage any part of their corporate property and privileges to secure the payment of such bonds.

May borrow money.

§ 13. Any person willfully injuring or causing to be injured any property of said corporation shall forfeit or pay to said corporation treble the amount of damages sustained by such injury, to be recovered in any court having cognizance thereof.

Injuring property.

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

APPROVED March 31, 1869.

In force March  
24, 1869.

AN ACT to incorporate the Rockford Water Works Company.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Good-year A. Sanford, Ralph Emerson, Robert P. Lerne, Thomas D. Robertson, William A. Knowlton, Norman C. Thompson, Moses Bartlett, John P. Manny, Isaac Utler, David S. Pentfield, A. C. Spafford, Levi Rhoades, Gilbert Woodruff, John Lake and Seldon M. Church, and their associates, successors and assigns, be and hereby are a body politic and corporate, by the name and style of "The Rockford Water Works Company;" and, by that name, shall have perpetual succession, and shall have power to contract and be contracted with, to sue and be sued, and implead and be impleaded, answer and be answered unto, in all courts of competent jurisdiction; and may have and use a common seal, and alter and renew the same at pleasure; and shall have all the powers and privileges necessary for the convenient accomplishment of the objects of their incorporation.

Name and style.

Objects.

§ 2. The objects and purposes of said incorporation is and shall be the supply of the city of Rockford and the inhabitants thereof with water.

May possess  
real estate.

§ 3. That for the purpose of supplying said city and the inhabitants thereof with pure and wholesome water, the said corporation shall have the power to purchase, take, hold, use and enjoy any tract or tracts of real estate in said city or in the county of Winnebago, necessary and convenient for the purposes of said corporation; and, for the purpose aforesaid, said corporation may take the water from any river, creek, brook or spring, in said county, and in any convenient and proper manner and by any proper and convenient means convey and conduct the same into said city and into any part or portion thereof; and, for the purpose aforesaid, said corporation shall have the right and power to purchase or erect and maintain any dam or dams upon any stream or streams in said county, at such point or points as to it may seem best, and may erect and maintain one or more reservoirs, at such place or places as the corporation shall judge best and most convenient for the purpose aforesaid; and said corporation may lease, purchase or build and maintain any hydraulic machinery, and the erections and buildings required in the use thereof or