

OF THE
UNIVERSITY of ILLINOIS.
PRIVATE LAWS

OF THE

STATE OF ILLINOIS,

PASSED BY

TWENTY-SIXTH GENERAL ASSEMBLY,

CONVENED JANUARY 4, 1869.

VOLUME IV.

SPRINGFIELD:
ILLINOIS JOURNAL PRINTING OFFICE.
1869.

§ 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

which may be required by said corporation for the accomplishment of the purposes aforesaid ; and said corporation shall have the right and power to adopt such system or such mode of supplying water, as aforesaid, as to the corporation shall seem most efficient and best adapted to the end in view ; and the said corporation shall have the full right and power, in any street, lane, alley or public ground of the said city of Rockford, to lay, connect, adjust, repair and maintain any pipes or conduits necessary and proper for conveying water for the supply of said city and its inhabitants and of connecting such pipes with any reservoir, fountain, pumps, hydrants or machinery of said corporation, designed for the supply of such water. But said corporation shall, in all cases, restore any street, lane, alley or public ground of said city, in which it may lay, adjust or repair any pipe or conduit for water, to its former condition, as nearly as possible, and shall, in all cases, in laying, adjusting and maintaining its pipes, conduits and works, cause as little obstruction and do as little damage to the streets, lanes, alleys and public grounds, as consistent with the convenient prosecution of such work. And it shall be lawful for said corporation to purchase water or water power in the works of the Rockford Water Power Company, under the like restrictions, terms, conditions and covenants as water or water power therein has usually been sold to individuals ; and in case said corporation, in the execution of the purposes for which it is created, shall erect any dam or dams and shall thereby create or have more water power than it may need for its own uses and purposes, it shall and may be lawful for the corporation to lease or sell its surplus power upon such terms as may be agreed upon therefor.

§ 4. The capital stock of said corporation shall be fifty thousand dollars, and may be increased, from time to time, by a two-thirds vote of the board of directors, to any sum, not exceeding five hundred thousand dollars. Capital stock.

§ 5. The business and affairs of said corporation shall be managed by a board of nine directors, who shall be elected by the stockholders, and hold their office for three years and until their successors shall be elected ; but the first year of the terms of the first board of directors shall expire at such time as shall be fixed by the board of directors for the first annual meeting of the stockholders. No person shall be a director who is not a stockholder in the corporation ; and the stockholders, at each annual meeting, shall elect from their number three directors, in place of those whose term of office shall then expire ; and in case of the death, resignation or removal of any directors, a meeting of the stockholders shall be called to fill the vacancy. Powers vested in direct rs.

§ 6. The board of directors shall, annually, choose one of its members president ; and said board shall have the Election of president.

power to determine the number of the officers of said corporation, and annually appoint the same, and require of such officers such security for the faithful performance of their duties as to said board shall seem best; and any securities so taken shall be valid and binding, according to the terms thereof; and said board of directors shall have power to make all needful by-laws for the government and direction of its affairs, not inconsistent with the laws of this state or of the United States.

Notice for time
and place of
meeting.

§ 7. The board of directors shall have the power to fix the time and place of holding the annual meetings of the stockholders and the notice to be given thereof; and special meetings of the stockholders may be called, at any time, by a vote of a majority of the board of directors.

Stock shares.

§ 8. The stock of said corporation shall be divided into shares of one hundred dollars each, and shall be esteemed personal property, and transferable on the books of the corporation, under such restrictions as the board of directors may determine; and at all stockholders' meetings each stockholder shall be entitled to one vote for each share by him owned; and absent stockholders may cast their votes by proxy.

May borrow
money.

§ 9. Said corporation shall have power to borrow money, at any rate of interest not exceeding ten per cent., per annum, and to issue its bonds or other evidences of indebtedness therefor and secure the payment thereof by a mortgage of the property and franchises of the corporation.

Taking private
property for
public use.

§ 10. In case it shall be necessary, for the accomplishment of the objects and purposes of said corporation, to take, use or occupy any tract, tracts or parcels of land belonging to any corporation, individual or individuals, in constructing any dam or dams, races, bulkheads or reservoirs, or in laying any of its pipes or conduits, or in keeping in repair and maintaining the same, or if, in constructing any necessary dam or dams, any land shall be overflowed, and the said corporation shall be unable to agree therefor with the owner or owners of any tract or tracts of land, which it shall or may be necessary to take, use or occupy, for the uses and purposes aforesaid or any of them, then it shall and may be lawful for said corporation, by its proper agents and servants, to enter upon, take, hold and occupy any tract or tracts of land, so necessary to be used and occupied, for the purposes aforesaid or any of them, upon said corporation first making to the owner or owners of the same just compensation for any damages which may arise from the appropriation thereof to the uses and purposes aforesaid or any of them; and said corporation may proceed and have such damages assessed and acquire such property in the manner provided in the general laws of this state for taking private property for public use.

§ 11. Said corporation shall have the right to lay its pipes across Rock river and also across Kent's creek, upon or under the bed of said respective streams, at such place or places on each stream as it shall seem best, doing as little injury to private property thereby as shall be consistent with the safe and convenient construction of such work. Lay pipes, etc.

§ 12. The said corporation shall have the power and authority to enter into any contract with the city of Rockford for furnishing said city with water, in case of fires and for other purposes, as to the board of directors shall seem best; and the said city shall have the power and authority to make and enter into any contract or agreement with said corporation for furnishing said city with water, which shall seem wise and expedient to the common council of said city. May contract for furnishing water.

§ 13. The said corporators, or a majority of them, may, at any time after the passage of this act, open books of subscription to the capital stock of the corporation; and when fifty thousand dollars shall be, in good faith, subscribed thereto, it shall and may be lawful for said corporators, or a majority of them, to call a meeting of the subscribers to such stock, for the purpose of selecting a board of directors for said corporation; and thereupon the subscribers for stock, or such of them as may attend such meeting, may proceed and elect from the subscribers for the stock nine directors of the corporation, three of whom shall be elected to hold their office for three years, three shall be elected to hold their office for two years, and the remaining three shall be elected to hold their office for one year. And such board of directors, when elected, may proceed to carry out and execute the objects and purpose of this corporation. And all subscriptions to the stock of said corporation shall be payable in installments, from time to time, upon call by [the] board of directors: *Provided*, not more than twenty per cent. of such subscriptions shall be called for in any one month. Open books for subscription.

§ 14. And the corporation hereby created shall have the right and power to contract and agree with any individual or corporation for the furnishing and supply of water, upon such terms as may be agreed upon therefor. And no person not duly authorized so to do shall draw water from any conduit or pipe which may be laid by said corporation or interfere with its pipes or works. Supply of water

§ 15. It shall and may be lawful for the city of Rockford so to do, and the right of said city is hereby reserved, at any time within ten years from and after said corporation shall have laid one mile of pipe, to purchase the property, right and franchises of said corporation, at their actual cost and ten per cent., per annum, interest thereon, and from which shall be deducted the net income from the property and works of the corporation. And said corporation, in the meantime, shall incur no unnecessary expense, by way City may buy the rights.

of salaries or otherwise, for the purpose of reducing the net income of the corporation from its property and works.

§ 16. This act shall take effect and be in force from and after its passage, and shall be deemed a public act, and may be read in evidence from the printed statutes of the state, in all courts and places.

APPROVED March 24, 1869.

YOUNG MEN'S CHRISTIAN ASSOCIATIONS— INCORPORATED,

In force March 29, 1869. AN ACT to incorporate the Young Men's Christian Association of Pontiac.

Preamble.

WHEREAS an association has heretofore been formed in the town of Pontiac, Illinois, called "The Young Men's Christian Association of Pontiac," the object of which is improvement of the spiritual, intellectual and social condition of men: therefore,

Corporators.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That Eliab W. Capron, Joseph F. Culver, Jason W. Strevell, James A. Caldwell, Alfred C. Huetson, John A. Fellows, Jonathan Duff and Billings P. Babcock, and their successors, are hereby constituted the board of trustees of the Young Men's Christian Association of Pontiac, and shall hold their office during life, except that, in case of removal from the town, loss of standing in the denomination to which he may belong, or by a vote of two-thirds of the whole number of trustees, the place of any member in the board shall

Election of president and secretary.

be vacant. Said board shall, from time to time, elect from among their number a president, secretary and treasurer. And a majority of said board shall constitute a quorum for the transaction of business, except when otherwise provided in this act; and they shall have power, by and with the approval of the board of managers of said association, to fill all vacancies in their said board: *Provided*, that all such vacancies shall be filled by the election of persons from the same religious denomination from which the member of said board was elected whose place is to be supplied, except the vacancy should occur through one of said board not a member of any denomination, when the vacancy shall be filled by a vote of a majority of all the active members of said association: *And provided, also*, that this board of trustees may be increased in number, by the election of one member from each of the following denomin-

Vacancies.