

ACTS OF A GENERAL NATURE

PASSED BY THE

*Geo. H. Fisher*

FIFTIETH GENERAL ASSEMBLY

OF THE

$\frac{143}{30}$

STATE OF OHIO:

(FIRST SESSION UNDER THE CONSTITUTION OF 1851:)

BEGUN AND HELD IN THE CITY OF COLUMBUS,

JANUARY 5, 1852:

AND IN THE FIFTIETH YEAR OF SAID STATE.

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## AN AOT

To provide for the creation and regulation of Incorporated Companies in the State of Ohio.

Who may become a body corporate.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That any number of natural persons, not less than five, may become a body corporate, with all the rights, privileges and powers conferred by, and subject to all the restrictions of this act.

## TO CREATE AND REGULATE RAILROAD COMPANIES.

Certificate of corporation.

SEC. 2. That any number of persons as aforesaid, associating, to form a company for the purpose of constructing a railroad, shall, under their hands and seals, make a certificate, which shall specify as follows: 1st. The name assumed by such company, and by which it shall be known. 2d. The name of the place of the termini of said road, and the county or counties through which such road shall pass. 3d. The amount of capital stock necessary to construct such road. Such certificate shall be acknowledged before a justice of the peace, and certified by the clerk of the court of common pleas, and shall be forwarded to the Secretary of State, who shall record and carefully preserve the same in his office; and a copy thereof, duly certified by the Secretary of State, under the great seal of the State of Ohio, shall be evidence of the existence of such company.

Corporation—rights and privileges.

SEC. 3. That when the foregoing provisions have been complied with, the persons named as corporators in said certificate, are hereby authorized to carry into effect the objects named in said certificate, in accordance with the provisions of this act; and they and their associates, successors and assigns, by the name and style provided in said certificate, shall thereafter be deemed a body corporate, with succession, with power to sue and be sued, plead and be impleaded, defend and be defended, contract and be contracted with, acquire and convey, at pleasure, all such real and personal estate as may be necessary and convenient to carry into effect the objects of the incorporation, to make and use a common seal, and the same to alter at pleasure, and do all needful acts to carry into effect the object for which it was created; and such company shall possess all the powers, and be subject to all rules and restrictions provided by this act.

May construct road—conditions, &c.

SEC. 4. Said corporations shall be authorized to construct and maintain a railroad, with a single or double track, with

## TO CREATE AND REGULATE GAS LIGHT AND WATER COMPANIES.

**SEC. 49.** That whenever any number of persons, as required by the first section of this act, associate to form gas light and water companies, for the purpose of supplying gas for lighting the streets, and public and private buildings of any city, town or village of this State, or for the purpose of supplying the inhabitants of any city, town or village with water, they shall, under their hands and seals, make a certificate, which shall specify as follows: The name of said company, and by which it shall be known; the object for which such company shall be formed; the amount of the capital stock of such company; the number of shares of which the said stock shall consist, and the names of the town, city or village, and county, in which the operations of such company are to be carried on; such certificate shall be acknowledged, certified and forwarded to the Secretary of State, recorded and copied in the same manner as is provided in the second section of this act; and [when] so incorporated, they are hereby authorized to carry on the operations named in such certificate of incorporation, and by the name and style provided in such certificate, shall be deemed a body corporate, with succession, and they and their associates to have the same general corporate powers as is provided in the third section of this act, and shall be subject to all the restrictions hereafter provided.

How gas and water companies may be created.

**SEC. 50.** That whenever ten per centum of the capital stock of such company shall be subscribed and paid in, said corporators, or any of them, shall, in some newspaper published in the county, give notice of the time and place for holding a meeting for the election of five directors, and the election shall be made by the stockholders attending for such purpose, either personally or by proxy, and each share of capital stock shall be entitled to one vote; said election to be superintended by one or more of said corporations [corporators].

Election of directors.

**SEC. 51.** There shall be a president of such company, who shall be designated from the number of directors, and also such subordinate officers as the company, by its by-laws, may designate, who may be elected or appointed, and required to give such security for the faithful performance of the duties of their office, as the company, by its by-laws, may require; for which purpose such company shall have the power, and are hereby authorized to make such rules, regulations and by-laws as may be necessary for their regulation, not inconsistent with the constitution and laws of this State.

Officers.

**SEC. 52.** There shall be an annual meeting of the stockholders, at a place designated by said directors, for the pur-

Annual meeting of stockholders.

pose of electing officers, who shall hold their offices until the next annual election, and until their successors are duly chosen; said officers shall have the general superintendence of the affairs of the company, and the management of its business, and may call special meetings of the stockholders for the transaction of business.

Powers of gas companies.

SEC. 53. Any corporations formed under this act, shall have full power, if a gas company, to manufacture and sell, and to furnish such quantities of gas or water as may be required in the city, town or village where located, for public and private buildings, or for other purposes; and such corporation shall have power to lay conductors for conducting water or gas through the streets, lands, alleys and squares in such city, town or village, with the consent of the municipal authorities of said city, town or village, and under such reasonable regulations as they may prescribe.

Corporations may contract for gas or water.

SEC. 54. The municipal authorities of any city, town or village, in which any gas light or water company shall be organized under this act, are hereby authorized to contract with any such corporation, for the lighting or supplying with water, the streets, lands, lanes, squares and public places in any such city, town or village.

## TO CREATE AND REGULATE BRIDGE COMPANIES.

How bridge companies may be created, &c.

SEC. 55. That whenever any number of persons, as named in the first section of this act, associate themselves together for the purpose of constructing a bridge over any of the streams of water in this State, they shall, under their hands and seals, make a certificate, specifying the amount of capital stock necessary, the amount of each share, the place where said bridge is to be built, and on what stream; said certificates shall be acknowledged, certified, and forwarded to the Secretary of State, recorded and copied as is provided in the second section of this act, and when so incorporated, they are hereby authorized to carry on the operations named in said certificate of incorporation, and by the name and style provided in such certificate, shall be deemed a body corporate, with succession; and they and their associates, successors and assigns, shall have the same general corporate powers as are provided in the third section of this act, and subject to the all the restrictions hereafter provided; but in all cases, the banks on both sides of the stream, where the said bridge is to be built, shall be owned by said company, or that they obtain in writing the consent of the owner or owners of the banks where the said bridge is to be erected, to erect the said bridge as aforesaid, unless the said banks at such point shall be in a public highway.