

An act to incorporate the Liberty and Puckneyville Rail Road
Company

Sec 1. Be it enacted by the people of the State of Illinois represented
in the General Assembly - That Samuel Munster, John
Starnes, Harvey Clendinnen, Jonathan B. Manning and Gabriel Jones
of Randolph County and James Bradley, Daniel B. Tubb and William
Lincoln of Jackson County, and Humphrey and James William
Edwards, William Murphy and David Beltracchi of
Perry County

And their successors in office duly elected as hereinafter directed
are hereby constituted and appointed a body politic and
corporate and by the name and style of the Liberty and
Puckneyville Rail Road Company shall be able and capa-
ble in law and equity to sue and be sued, grant and be in-
pleaded, defend and be defended in any court having juris-
diction in any Court of competent jurisdiction to make and execute
a common seal and the same to alter change or renew at
pleasure and shall be able and capable in law to make
contracts and enforce the same and to make and enforce
the necessary by-laws rules and regulations to enable
them to carry into effect the provisions of this act and
the objects contemplated by the same not inconsistent with
the laws and Constitution of this State and of the United
States -

Sec 2. The Capital Stock of said Corporation shall be
Dollars divided into Shares of
Dollars each

Sec 3. The above named persons or a majority of them may meet
at such time and place as they may agree on and or-
ganize said Corporation by electing one of their own body
to be president - and after such organization every three
board shall form a quorum - but after an election for
directors it shall require five to form a quorum

The Corporation shall have power to appoint agents clerks
treasurers surveyors engineers superintendents artists
and all other officers and persons necessary to carry into
effect the objects of this act they shall keep a journal of
their proceedings in which shall be entered all by laws
rules regulations and all other orders for the payment
of such salaries as may be made to their officers
and all other persons employed which journal shall from
time to time be read by the board and if found correct
shall be signed by the president when the president is
absent they may appoint a president pro tempore
they shall fill all vacancies that may happen to their
own body

Sec 5 The Corporation shall cause books to be opened for sub-
scription to the Capital Stock at such time and place
or places as they may choose due notice of which shall
be given In each of which books the following entry shall
be made "We the undersigned promise to pay the sum of
_____ Dollars for each share of Stock set op-
posite our names in such manner and proportions and
at such time and place as the president and directors
of the said Rail Road Company may direct Wit-
ness our hands this _____ day of _____ A.D.
18__

6 It shall be lawful for all persons of lawful age for the agent
of any corporate body for the agent of any State on behalf of
the same to subscribe for any amount of Capital Stock
that the books shall be kept open for such space of time
and at such place or places as the Corporation shall choose
and they shall have power on their own Credit to borrow
money on such terms as may be agreed on by the parties
the Corporation may require such sum of money to be paid
at the time of subscribing not exceeding five dollars on
each share as they may think proper which requisition
shall be equal on all and made known in the notice
for opening the books

Sec 7. If any person or persons are indebted to the
five Dollars paid on each share it shall be the duty of the Cor-
poration to give two weeks notice thereof in one of the newspapers
printed in this State and in such notice appointed
time and place for the stock holders to meet and elect
directors who shall be stock holders and citizens of this
State - which election shall be conducted by two judges ap-
pointed by the stock holders present. And the persons
having a plurality of votes given and counted in public shall
be declared duly elected - In all elections each stock holder
shall be entitled to a vote for each share not exceeding
and for every five shares above ten ~~and not exceeding~~ and
votes may be given by the persons owning the same or by one of
any partners or by the husband father mother administrator
or executor trustee or guardian or by any authorized agent
of any Corporation or State and any person having a
right to vote may vote by proxy -

Sec 8. It shall be the duty of the directors elected as a force to
to meet as soon thereafter as they conveniently can and
elect one of their own body president and the president
and directors thus elected shall continue in office until
the next annual election and until their successors are
appointed and organized

Sec 9. All elections after the first shall be held on the first
Monday of October annually under the direction of any
three stock holders to be appointed by the stock holders
present - Provided that if from any cause whatever
there should be no election held on the day appointed by
this act, or by the directors for the first election it shall
be lawful to hold the election on any other day

Sec 10. Certificates of stock shall be given to the stock hold-
ers which shall be evidence of the stock held. They shall
be signed by the president and countersigned by the
Clerk. The stock shall be transferable on the books of the
Corporation only - personally or by an agent or attorney
or by the trustee executor or guardian. But such stock

and at all times be holden by the Corporation for any dues from the holders thereof to the Corporation or for any amount that may thereafter become due on a contract made prior to such transfer.

Sec 11. The Corporation shall have power to call for such proportions of the stock subscribed not exceeding twenty five percent of the amount of stock every six months as they may deem proper to be paid at such time and place as they may designate - by giving twenty days previous notice in some newspaper printed in this state or by giving written notice to stock holders - In all such notices the amount on each share demanded and the time and place of payment shall be set forth and if any stock holder shall neglect or refuse to pay such requisition, within ten days after the time mentioned for such payment the Corporation may bring suit against such delinquent for the amount due in any Court of competent jurisdiction and recover the amount with the two per cent per month interest thereon for such detention and if the amount cannot be made on execution or if such delinquent is out of the state then the Corporation may three months thereafter by an order on their books declare such stock forfeited to the Corporation with whatever amount may have been paid upon it thereon and the same shall thereby be absolutely forfeited to the Corporation -

Sec 12. The Corporation shall require of all ~~persons~~ officers and directors to keep proper books with account to be kept in relation with such particulars as they may think proper for the faithful performance of their respective duties.

Sec 13. The Corporation by their agents shall have full power from time to time to examine survey make and locate the route for a Road Road for a single or double track commencing at Liberty in the County of Randolph and running on the best ground for the interest of the Company and convenience of the public by Fairbury with in Perry County the nearest and most convenient point of junction with

the Central Rail Road with full power in all cases to diverge from a direct line where more favorable ground can be had for the construction of the said Road.

Sec 15. - It shall be lawful for the Corporation either before or after the location of any section of the Road to obtain from the person or persons through whom land the same may pass a relinquishment of so much land of such value as may be necessary for the construction and location of the Road as also the stone gravel timber or other materials that may be obtained on said route and may contract for stone gravel timber and other materials that may be obtained from any other land near thereto and it shall be lawful for said Corporation to receive by donations gifts grants or bequests land money labor property stone gravel wood or other materials for the benefit of said Corporation - and all such contracts relinquishments donations gifts grants and bequests made and entered into in writing by any person or persons capable in law to contract and any contract made in consideration of such location and for the benefit of the Corporation shall be binding and obligatory - and the Corporation may have their action at law in any Court of competent jurisdiction to compel the observance of the same. Provided that all such contracts relinquishments donations gifts grants and bequests shall be fully and plainly made in writing and signed by the party making the same.

Sec 16. That in all cases where any person through whom land the Road may pass shall refuse to relinquish the same or where a contract between the parties cannot be made it shall be lawful for the Corporation to give notice to some justice of the peace in the County where the difficulties occur that such facts do exist and such justice shall thereupon summon the owner of said land to appear before him on a particular day within ten days thereafter and shall appoint twelve disinterested persons of the neighborhood who shall after taking an oath faithfully and impartially to appraise the damages and shall file a report

Thereof with such justice - Whereupon said justice shall enter judgment thereon unless for good cause shown - and in case either party should show sufficient cause why judgment should not be entered the justice may grant a review of the same either with or without costs provided that either party may appeal to the Circuit Court of the proper County as in other cases and such party must shall appoint reviewers as above directed and the same shall report at that of the succeeding term on the decision of the Court and the judgment of the Court shall be final - and the Corporation shall thereupon pay the amount of said judgment to the owner or owners or to the guardian or guardians of such owner or owners if they are infants or into the County Treasury for the use of such owner or owners ~~whereof the same shall be paid to the Corporation~~ if they are unknown

~~Sec 16~~ - That when said Corporation shall have procured the right of way as herein before provided for they shall be seized in possession of the right ~~said~~ to said land and shall have the sole use and enjoyment of the same and no person body corporate or politic shall in any way interfere therewith molest ^{or} disturb ~~any~~ any of the rights and privileges hereby granted or that would be calculated to detract from or affect the profits of said Corporation -

~~Sec 17~~ The Corporation shall commence the construction of said road any time within five years and from time to time construct as much towards the point of destination as may be within the ability and to the interest of the Company and shall complete it within ^{three} ~~four~~ years from its commencement

~~Sec 18~~ It shall be the duty of said Corporation whenever any station coming road now established shall cross or may hereafter cross the rail Road to make and keep in repair good and sufficient causeways so that the passage of said road shall not be obstructed and in all cases where any persons shall own lands on both sides of said Rail Road and there shall not be any causeway for a public road leading from one tract to the other the owner

of such land shall have the right free of any charge to erect
the same and to make such causeways as may be necessary
for the convenience of such owner provided that such owner
of land shall not injure or obstruct said road -

Sec 19. It shall be lawful for said Corporation to place or
prescribe the kind of Carriages that may be used on said road
whether propelled by steam or other power for the transpor-
tation of passengers for all kinds of produce, merchandise or
merchandise or any other kind of property and the Cor-
poration may charge and receive such tolls and freight for
the transportation of persons commodities and carriages
on said Road or any part thereof or bridges connected there-
with as shall be for the interest of the Company and the
same to charge lower or raise at pleasure provided that
the rates established from time to time shall be posted up
in some conspicuous place or places on said road -
Provided also that if at the expiration of ten years from or
after the completion of said Road the net income or re-
ceipts from tolls taking the ten years aforesaid as a basis
of calculation shall have amounted to more than twelve per-
centum per annum upon the cost of the Road the Legislature
may take measures to alter and reduce the rates of tolls in
such manner as to take off the surplus for the next ten years
calculating the amount of transportation on the road to be the
same as the ten preceding years and the expiration of every
ten years thereafter the same proceedings may be had.

Sec 20. Annual dividends of as much of the profits as the Cor-
poration may deem expedient shall be made on the first
Mondays of January annually, unless the directors fix
on a different day and paid to the stockholders as
soon thereafter as can with convenience be done but no
dividend shall be made to a greater extent than
the net profits after deducting all expenses, and the
directors may reserve such proportion of the profits as
a contingent fund to meet subsequent expenditures
as they shall deem proper.

6. That if any person or persons shall willfully and knowingly injure or obstruct said Road or any part thereof or shall break destroy or deface any work or fence or toll or warehouse belonging thereto such person or persons so offending shall pay to the Corporation five times the amount of damages actually done with cost of suit to be recovered by the Corporation before any court having competent jurisdiction. And all actions commenced by the Corporation for the recovery of damages shall be commenced within six months from the time of such cause of action accrued and not after.

7. It shall be lawful for the County Commissioners of each and every County through which said Road may pass for and on behalf of said County to authorize by an order as much of the stock to be taken as they may think proper.

8. It shall be the duty of the Corporation to cause a full statement of the affairs of the Company to be made and exhibited to the stockholders at every annual election ~~and they may think proper~~ or at any other general meeting of the stockholders.

9. Should the capital therein granted not be sufficient to accomplish the intended work the Corporation may increase the same and the stockholders may at any general meeting reduce the number of Directors to any number not less than five, three of whom shall form a quorum for business.

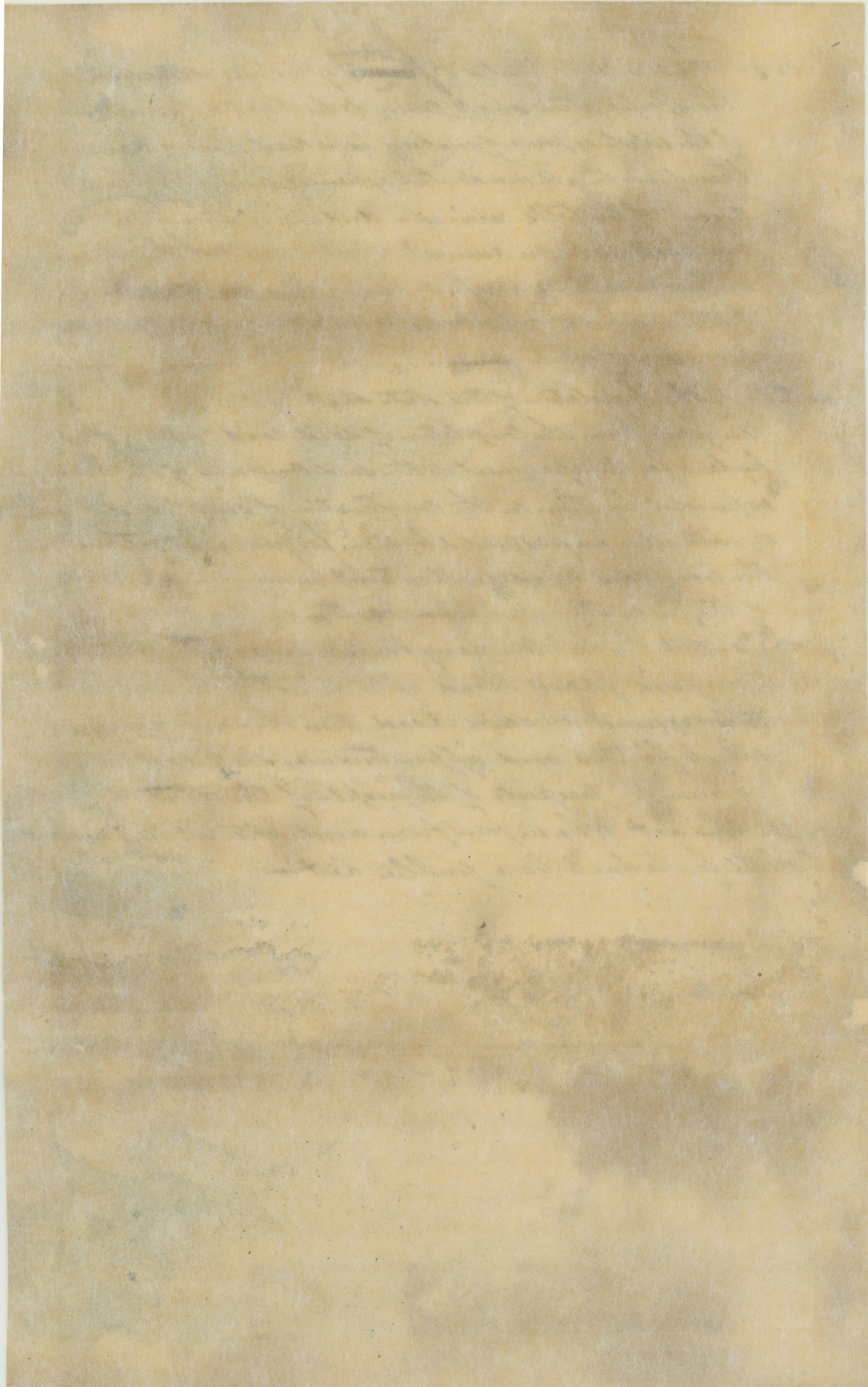
10. The Corporation shall in no case directly or indirectly engage in any kind of trade or deal in merchandise other than such as may be necessary to carry into effect the objects contemplated by this act. Nor shall said Corporation exercise any pretence whatever either in banking business for the purpose of receiving deposits making discounts or issuing bills of credit or bills or receipts of any description to pass as a circulating medium.

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Sec 26 The charter is limited to ~~5~~ years in duration and the Corporation shall cause to be kept a fair record of the whole expense of making said Rail Road or any section thereof with all incidental expenses, and also a fair account of the tolls received - And the Directors of said Company shall make an annual report in detail of their proceedings and expenditures verified by the affidavit of at least two of them which report shall be filed in the office of the Secretary of State ~~and~~

Sec 27 If the Legislature of this State shall after the expiration of ten years from the completion of said road, make provision by law for the repayment to the said Company of the amount expended by them in the construction of said road together with all moneys expended by them for permanent fixtures for the use of said Road with interest on such sums at the rate of ten per cent per annum together with all moneys expended by said Company for repairs or otherwise for the purposes of said Road after deducting the amount of tolls received on said Road then the said Road with all its fixtures and appurtenances shall vest in and become the property of the people of this State.

Sec 28 This act to be in force from and after its passage shall be taken to be a public act -





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It is set to incorporate the
Liberty and P. M. M. M.
with Paul M. M. M.
M. M. M.

To be incorporated

Ch. H. H.

Ch. H. H.