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Sec. 1. Be it enacted by the people of the State
of Illinois, represented in the General Assembly,
That John Filson Jr, Adolphus Allen, Sidney
H. Little, David W. Matthews, E. D. Vandiver
and James Kent, and such other persons
as may associate with them, by subscribing
stock as hereinafter authorized: be, and
they are hereby constituted a Body politic,
and corporate, by the name of "The
Mississippi Des Moines rapid bridge
company"; and by that name, they and
their successors, shall and may hereafter
have succession, and shall in law, be
capable of suing, and being sued, pleading,
and being impleaded, answering, and
being answered unto, in all courts and
places whatsoever; and they and their
successors, may have a common seal,
and may alter, and change the same
at pleasure; and also they, and their
successors, by that name and style,
shall be in law capable of purchasing,
holding, ^{and conveying} any estate real and personal,
for the use of the said Corporation: but
the said real estate so to be holden, shall
be such only as shall be necessary for
the transaction of the business of said
Corporation at each end of said bridge

Sec. 2. That the Capital stock of said company, shall be two hundred thousand dollars, with liberty to increase the same from time to time, by new subscriptions in such manner and form, as they shall think proper; if such increase shall be found necessary to fulfil the intent of this act: which said Capital stock shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and be transferable in such manner, as said corporation, shall in their by-laws, order and direct

Sec. 3. The said John Tilson Jr, Adolphus Allen, Sidney H. Little, Davis W. Matthews, E. D. Vandaveit, and James Kent, are hereby appointed commissioners, the duty of whom, or a majority of them, it shall be to open books in such places in this State, as they may think most suitable: and if necessary, in the cities of Philadelphia, New-York, and Baltimore, and shall advertise the times, and places of opening said books, in the Carthaginian, and such other newspapers, in this State or elsewhere, as they may think proper, giving

at least thirty days previous notice of the time and place of opening books. If the whole of the capital stock, herein named, shall not be subscribed for, at the time and place appointed for such subscription, said commissioners, or a majority of them, shall take such measures for completing such subscription, as they may deem expedient and proper. And every subscriber, shall at the time of subscribing, pay to said commissioners, the sum of one dollar on each share subscribed.

Sec. 4. As soon as the Capital stock shall be subscribed, the said commissioners shall give notice thereof in like manner, and appoint the time and place, designating the same in said notice for such stockholders to meet for the purpose of choosing a board of Directors, which shall consist of seven in number; every stockholder shall be entitled at such, and all other elections, to one vote for each share, to the number of ten; and one vote for every five additional shares; which votes may be given in person, or by proxy. At the Election to be held, as aforesaid

the said commissioners, or such of them
as may attend, shall be inspectors,
and their certificates of the names of
~~the~~ names of the persons elected, shall
be conclusive evidence of such election,
and said commissioners shall deliver
over the Subscription books to the said
Directors, with the money received thereon.
The said Directors so chosen, and who
may hereafter be chosen, shall immediately
after their election, proceed to choose one of
their Body to be President, who shall preside
at all regular meetings of the Board: a majority
shall constitute a quorum; and in case of
the absence of the President, the Board
may ^{appoint} a president pro tempore to preside —
The said Board shall have the power to pre-
scribe the time and place of holding
all future elections for Directors, which
shall be once a year. And the said
Board of Directors shall be vested with
power to transact all the business of the
Incorporation, in their corporate capacity,
whose acts shall be binding on the same.
The said Board shall have power to fill
all vacancies, which may occur in
their Body, which appointment shall
remain until the next annual meeting

Sec. 5. The Board of Directors, when elected, and organised, shall have power to make ~~and~~ ^{make} such bye-laws, rules, and regulations as to them shall appear needful, and proper, touching the management and disposition of the stock property and effects of said corporation; the transfer of shares, and touching the duty and conduct of their officers and servants, and all other matters whatsoever, which may appertain to the concerns of the said Corporation: shall appoint a Secretary, Treasurer, and such clerks, as may be necessary for the transaction of business: provided the said bye-laws be not repugnant to the constitution and laws of this State and of the United States

Sec. 6. The said Corporation are hereby authorised, and empowered to erect a bridge over the Mississippi River at the Town of Des Moines, in Hancock County: the manner and form of the construction of said bridge, shall be decided upon by the Corporation: provided, that said bridge shall be constructed and built of sufficient height, to leave the Steam Boat channel in said river free from all obstruction, that might retard

the navigation of said Mississippi River, either in high or low water, and so as not to be in the way of any improvements of the navigation in said river, that may hereafter take place.

Sec 7. The said corporation shall be authorized to procure a sufficient quantity of land at each end of said bridge, on which to build toll houses, and gates and to afford room for the necessary transactions of the business of the concern: and in case of a disagreement, betwixt the corporation and the owners of the land, on the East side of said river, as to the value and price of said land the same shall be ascertained by three disinterested freeholders of the county in which the lands lie, who shall be appointed for that purpose, by the County Commissioners' Court of the same county, on the application of either party, and shall be sworn to make a just valuation thereof, and when the said Corporation shall have tendered to the owner, or owners or their agent, or agents the full amount of the valuation of said lands, as ascertained by said freeholders, then the said Corporation shall be deemed

be deemed to be seized and possessed of the fee simple of all such lands, or real estate, and it shall be the duty of the said freeholders, or a majority of them, to deliver to the said Corporation, a written statement of the award, or awards they shall make with the description of the said land, to be recorded in the Recorder's office of the county in which the land lies.

Sec. 8. As soon as the said bridge shall be completed, it shall and may be lawful for the said Corporation to erect a gate at the end of said bridge, and to demand and receive the same rates of toll for passing the same, as may be then allowed to the ferries crossing the Mississippi within the limits of Hancock County. The said Corporation shall obtain from the County Commissioners' Court of Hancock County, a list of the rates of toll, as established by them for the various ferries over the Mississippi within the limits of said county, for which the same tax may be charged, as is charged the ferries aforesaid, in such cases. And shall set up in a conspicuous place free for the inspection of travellers, or

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other persons interested, the rates of toll
as aforesaid

Sec. 9. If any person, or persons shall
wilfully, or maliciously, do, or cause to
be done, any act whatsoever, whereby
the said bridge or any thing appertain-
ing to the same, shall be impaired, in-
jured, or destroyed, the said person, or
persons, so offending, shall forfeit and
pay to the said Corporation, treble the
amount of damages, occasioned thereby,
to be recovered by the said Corporation,
with cost of suit, in an action of tres-
pass, in any Court having compe-
tent jurisdiction thereof.

Sec. 10. If any toll-gatherer shall
unreasonably delay, or hinder any trav-
eller from passing said bridge; or shall
demand, or receive more toll than is
by this Act established, he shall for
every such offence, forfeit and pay
a sum not exceeding ten dollars,
with cost of suit, to be recovered before
any justice of the peace, of the County
where such offence shall be com-
mitted, for the use of the person, or
persons, so unlawfully delayed,
hindered, or defrauded.

Sec. 11. It shall not be lawful for any person, or persons to ride or drive over said bridge, faster than in a walk, neither shall any person drive on more stock, or teams at one time, than shall be ordered or permitted by the toll-gatherer, or attendant on said bridge, on penalty of forfeiting for every such offence, the sum of five dollars to be recovered before any justice of the peace as aforesaid.

Sec. 12. All officers, or Directors, chosen at the annual election aforesaid shall hold their offices until the next annual election, or until others are elected in their stead; and the President and Directors, or a majority of them, shall have power to call a meeting of the Board, whenever they may deem it necessary, by publishing a notice of the time, and place for holding the same, thirty days previous to the time of said meeting.

Sec. 13. If the said bridge shall not be commenced, and the work put into successful progress within five years after the passage of this act.

the Fair Corporation, shall be dis-
solved, and this act of no effect

Passed the Senate May 12th 1837

Daniel B. Bush ²apt Sec Senate

Senate

A Bill entitled,

"An act to incorpo-

rate the Mississippi

Desmines Rapids

Bridge Company"

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To be Enrolled

Engrossed