

1822

For an Act to incorporate the ~~Chertin~~ ^{Pinckney} Nashville ^{Rail Road} Company.

Sec 1. Be it enacted by the people of the State of Illinois, represented in the General Assembly, That Joseph B. Davis, Gabriel Jones and John W. Wade of the County of Randolph, Joseph Dennis, Henry Varum and Charles McBride of the County of Washington, ^{Henry} B. Jones and Levy Green of the County of Perry, their associates, successors, and assigns are hereby created a body corporate and politic under the name and style of the ~~Chertin~~ ^{Pinckney} Nashville and ^{Rail Road} Company, and by that name may be, and hereby are made capable in law and equity to sue and be sued to final judgment and execution, plead and be impleaded, defend and be defended, in any court or courts of record, or in any other place whatever; to make laws and use a Common Seal, and the same to break, renew, and alter at pleasure; and shall be, and are hereby vested with all the powers, privileges, and immunities, which are, or may be necessary, to carry into effect the purposes and objects of this Act, as hereinafter set forth. And the said Company are hereby authorized and empowered to locate, construct, and finally complete, a Rail Road, commencing at the town of Chertin in the County of Randolph; thence to Columbus in said County; thence to Nashville in Washington County; in such manner and form as said Company shall deem most expedient; and for this purpose said Company are authorized to lay out this said Road at least six rods wide; and for the purpose of cutting embankments, ditches and drains, may take

as much more land as may be necessary for the proper
Construction and Security of Said Canal Road: Provided,
that all damages that may be occasioned to any person or
Corporation, by the taking of such land or materials, for the
purposes aforesaid, shall be paid for in the manner herein
provided

Sec 2 The Capital stock of Said Company shall be then
ten 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 fulfill the intent of this Act, which Said Capital
stock shall be divided into shares of fifty dollars each; and
the immediate government and direction of the affairs
of Said Company shall be vested in five directors, who
shall be chosen by the members of the Company, in the manner
hereinafter provided, who shall hold their offices for one year,
and until others shall be duly elected and qualified to take
their places as directors; and the said directors, a majority
of whom shall form a quorum for the transaction of business,
shall elect one of their number President of the board, who shall
also be president of the Company, and shall have authority
to choose a clerk, who shall be sworn to the faithful discharge
of his duty; and a treasurer, who shall give bond to the
Company, with sureties to the satisfaction of the directors

Sec 3 The president and directors, for the time being, are
hereby authorized and empowered, by themselves or their ag-
ents, to exercise all the powers and authority herein grant-

tion, for the purpose of locating, Constructing, and Completing
Saca Rail Road - and also such other powers and author-
ity, for the management of the Affairs of Saca Company,
not heretofore granted; as may be necessary to carry into effect
the object of this grant: to purchase and hold lands, mate-
rials and other necessary things, in the name of the Company, for
the use of the Road; to make such equal assessments from time
to time, on all shares of Saca Company, as they may deem ef-
ficient and necessary, in the progress and execution of the
work, and direct the same to be paid to the treasurer of
the Company, and the treasurer shall give notice of all
such assessments: The board of directors shall have power
to adopt rules and a bye-laws, regulating the manner
and time of payment of all assessments they may order,
under such penalties as they may deem proper.

Sect 4 Saca Company shall be holden to pay all damages
that may arise to any person or persons, Corporation
or Corporations, by taking their lands, gravel or stone,
for the use of Saca Rail Road, when the same cannot
be obtained by voluntary agreement, to be estimated
and recovered in the manner provided by law for the
recovery of damages happening by the laying out of high-
ways.

Sect 5 When the lands, or other property or estate of any Ma-
ried woman, infant, or person non compos Mentis, shall
be necessary for the Construction of Saca Rail Road, the
husband of such married woman, and the Guardian

of such infant, or person non compos Mentis, may release all damages in relation to the land or estate to be taken and appropriated as aforesaid, as fully as they might do, if the same were holden in their right, respectively.

Sec 6 If any person shall wilfully, maliciously, or wantonly and contrary to law, obstruct the passage of any Canal or said Rail Road, or any part thereof, or any thing belonging thereto, he, she, or they, or any person assisting shall forfeit and pay to said Company, for every such offence, treble such damages as shall be proved before any Court competent to try the same, to be sued for in the name, and in behalf of said Company: And such offender or offenders shall be deemed guilty of Misdemeanors, and liable to indictment, in the same manner as other misdemeanors are found, in any County or Counties where such offence shall have been committed; And upon conviction such offender or offenders shall be liable to a fine not exceeding five thousand dollars, for the use of the County where the indictment may be found, or may be imprisoned not exceeding one year, at the discretion of the Court before whom the conviction may be had.

Sec 7 If the said Rail Road, in the course thereof, shall cross any River, Canal, turnpike or other high way, the said Rail Road shall be so constructed as not to impede, or obstruct the safe and convenient use of such River, Canal, turnpike, or other highway; And said Company hereby created, may construct a lateral Road from Puckneyville in Perry County, through Georgetown in Randolph to the nearest

practicable point of said Rail Road; which lateral Rail Road may be made and constructed in the same manner and to be subject to the same rules and regulations when completed that the main Road is by this Act.

Sect 8 The time of holding the Annual Meetings of said Company for the election of directors, shall be fixed and determined by the by-laws of said ^{Company}; and at all meetings each stockholder shall be entitled to vote in person, or by proxy, and by authority, one vote for each share he or she may own —

Sect 9 That Seth Allen, Robert Jones, Robert J. Thomson, Darius Greenup, Levisay Carter, Gilbert Nettleton ~~and~~ and William Edwards, are hereby appointed Commissioners to open subscription books for the Stock of said Company. Said Commissioners, or a majority of them, are hereby authorized to open subscription books for said stock, at such places as they may deem proper, and shall give at least thirty days notice of the time and place when such books shall be opened, and shall keep the same open for five days, unless the whole number of shares of said Company shall be soon subscribed; and they shall require each subscriber to pay one dollar on each share subscribed, at the time of subscribing; and at the termination of said term of five days, or sooner, if the whole amount of said shares shall be taken, said Commissioners shall call a meeting of the stockholders, by giving ten days notice in some public news paper printed in this State, of the time and place of such meeting. At each meeting it shall be lawful to elect the directors of said Company; and when the directors of said Company shall have been chosen

The said Commissioners shall deliver said subscription books,
together with all sums of money received by them, to said directors;
Provided, that no election shall be held until at least one hundred
thousand dollars of said stock shall have been subscribed; and
Provided that each director, shall at the time of his election, hold
at least ten shares of the Capital stock of said Company—
Sect 10 Said board of directors shall have power to make,
ordain, and establish such by-laws, rules and regulations, and
ordinances, as they may deem expedient and necessary to accom-
plish the purposes, and carry into effect the provisions of
this act, and for the more ordering, regulating and securing
the interests and affairs of said Company. Provided the same
be not repugnant to the Constitution and laws of this State,
or of the United States.

Sect 11 That if the Corporation hereby created, shall not
within one year from the passage of this act, construct, and
finish, and put in operation, the said ^{Said} road and lateral
branch, or any part thereof, as shall be deemed expedient
by said Corporation, then the said Corporation shall thence-
forth and forever cease, and this act be null and void.

Passed the Senate Feb. 15. 1837

J. P. Thomas Jr.

Clk Senate

8 Wm. Lenoir

1836

For an act to incorporate
the Chesapeake
and Potomac
Harbor and
Canal

Wm. Lenoir

Paper

Eng

24

20th May

Laid on table

of the Committee

of the