

An act to incorporate the Jamesboro' and
Mississippi rail road company

Act. 1 Be it enacted by the people of the State of
Mississippi represented in the general Assembly
that Benjamin W Brooks, James L. Y
adges Willis Willard, James Red Sidney D.
Caudan, Winstead Davis, John S Blacker
John Kufel Michael Graves Elijah
Willard Samuel Red Jefferson McKinney
Augustus Ripley Robert T. Hargrave
David Wendell John Daugherty and
Caleb Frick ^{William Whiffle} and such other persons as may
associate themselves with them for that purpose
be and they are hereby constituted a body
politic and corporate by the name of the
"Jamesboro' and Mississippi rail road
company" for the purpose of constructing
a rail road from Chamberlain on the Missis-
sippi river in Union County to Jamesboro
and from thence if they shall deem it
proper to cause suitable piers on the Centr-
al rail road, to take transport ~~and~~
and carry property and persons upon the
same, by the power and force of steam
animals or of any mechanical or other
power or by a combination of them which
the said Corporation may choose to employ
and by that name they and their successors
shall be and are hereby vested with the right
and privilege of constructing and using the
said Road for the purpose aforesaid, from and
to the points comprised in the limits before
mentioned and may have succession and shall
be persons in law, may sue and be sued
contract and be contracted with, plead and
be impleaded in all courts of law and equity
and in all manner of actions, and they and
their successors may have and use a common
seal, and may change and alter the same
at pleasure

Act. 2 That if the said corporation hereby created
^{have not} commenced the said rail road within
five years, and finish the same within twenty
years from the passage of this act, then the said
corporation shall nevertheless forever cease and
this act be null and void.

sect. 3 The capital stock of said company shall be fifty 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 to any amount not exceeding one hundred thousand dollars for the purpose of fulfilling the intent of this act. which said capital stock shall be distributed into shares of one hundred dollars each, which shall be deemed personal property and transferrable in such manner as the said corporation shall ~~direct~~ by law direct;

sect. 4 That Benjamin W. Brooks, James S. Lloyd, Ellis Willard, James Rud Sidney S. Candan, Winstead Davis, John S. Thacker, John Rufel, Michael Cramer, Elijah Willard, Jefferson McKinney, Augustus Kiplen, Robert Hargrave, David Arendell, John Langhuty and Caleb Frick & William C. Whitlock shall be commissioners the duty of whom ~~shall be~~ or a majority of them it shall be at some suitable place in New Orleans, Philadelphia and New York and in the Towns of Taunton, Shrewsbury, Falmouth, Springfield, Alton, Braintree and in Norwalk, in the State of Illinois or at such of said places

as a majority the said Commissioners may
 deem necessary to open books, to receive sub-
 scriptions to the Capital Stock of said Corporation
 and to do such other things, as in their opinion
 is best calculated to get the said stock taken up.
 Sixty days notice shall be given by said Commis-
 sioners of the time and place of opening
 said books; in one of the public newspapers
 in or near each of the said places. The Commis-
 sioners shall receive no subscriptions unless one
 dollar on each share subscribed be paid at
 the time of subscribing. And as soon as the
 Capital stock shall be subscribed, to give a
 like notice, for a meeting of the stockhold-
 ers, to choose five directors, and such election
 shall be made at the time and place appointed
 by such of the stockholders, as shall attend
 for that purpose, either in person or by lawful
 proxy, each share of the Capital Stock entit-
 ling each stockholder to one vote. And the
 said Commissioners shall be inspectors of the
 first election, of directors of said Corporation
 and shall certify under their hands the names of
 those duly elected, and deliver over the subscription
 books to the said directors. And the time and place
 of holding the first meeting of the directors shall be
 fixed by the said Commissioners. And the directors
 to be chosen at such meeting, or at such annu-
 al election, shall as soon as may be after
 every election, choose out of their number
 one president, and one other person to be
 vice president; and in case of the death, resi-
 gnation, or removal of the president, vice
 president, or of any director such vacancy
 or vacancies may be filled for the remain-
 der of the year, in which they may happen
 by the directors; and in case of the absence
 of the president and vice president the
 board of directors, shall have power to app-
 oint a president pro tempore, who shall
 have and exercise such powers and func-
 tions as the by-laws of the said Corpor-
 ation may provide.

Sect. 5th It shall be lawful for the directors to require payment of the sums subscribed to the Capital Stock at such times and ~~places~~ in such proportions, and on such conditions as they shall deem fit under the penalty of the forfeiture of all previous payments thereon and shall give notice of the ~~previous~~ payment ~~into them~~ required, and of the place and time, where and when the same are to be paid, at least ninety days previous to the payment of the same in some public newspaper of this state and in the several cities where the books of the Company may have been opened for subscription to the Capital Stock.

Sect. 6 That in case it should at any time happen that an election of directors shall not be made on any day on which, in pursuance of this act, it ought to be made, the said Corporation shall not for that cause be deemed to be dissolved; but such election may be held at any other time directed by the Bye Laws of said Corporation,

Sect. 7. That ^{a majority} ~~three~~ of the directors of the said Corporation, shall form a board and ~~they~~, ~~and they, a majority of them~~ shall be competent, to transact all the business of the Corporation, and they shall have full power to make and prescribe 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 duties and conduct of their officers and servants, and the electing of directors and all other matters whatever, which may appertain to the concerns of the said Corporation, and also shall have power, to appoint a secretary and as many clerks and servants as to them shall seem proper, and to establish and fix such salaries and allowances to them, and also to the president and vice president as to the said board may appear proper.

and attendance to them and also to the president and ~~directors~~ vice president as to the board may appear, proper,

Sec. 8th That the said corporation be and they are hereby authorized by their agents, surveyors and engineers, to cause such examinations and surveys to be made of the ground lying within the aforesaid limits prescribed by the first section of this act as shall be necessary to determine the most advantageous route for the proper line or corner whither to construct their said road and it shall be lawful for the said corporation to enter upon and take possession of and use all such real estate as may be indispensable for the construction and maintenance of their said road and the accommodations requisite and appertaining to them and may also hold and take all such voluntary grants and donations of land and real estate as shall be made to the said corporation to aid in the construction, maintenance and accommodation of their said road, provided that all lands and real estate thus entered and taken possession of and used by said corporation, and which are not donations shall be purchased by said corporation, of the owners of the same at a price mutually agreed upon between them and in case of disagreement as to price it shall be the duty of the Governor of this state, upon a notice given him by said corporation, to appoint three commissioners, who shall be persons not interested in the matter to be determined by them, to determine the damages which the owner or owners of the land or real estate so entered upon by the said corporation, has or have sustained by the occupation of the same, and upon the payment of such damages, together with the costs and damages attending the appraisement by the said corporation the commissioners being

being allowed three dollars per day while thus employed; or upon the said corporation depositing in the treasury of the County in which the land lies, the amount of said damages together with the costs and charges aforesaid to the credit of the person or persons to whom the commissioners may have awarded them the said County treasurer shall give notice to such person or persons by letter of such deposits being made by the said Corporation; then the said Corporation shall be deemed to be seized and possessed of the fee simple of all such lands or real estate, as shall have been appraised by the said, commissioners; and it shall be the duty of said commissioners or a majority of them, to deliver to the said Corporation a written statement of the award or awards they shall make with a description of the land or real estate appraised to be recorded by the said Corporation in the clerk's office of the County in which the land or real estate may be, That in case any owner or owners of land or real estate so appraised, shall be found in County under ago or non Campus mentis or out of this state, then and in that case the said Corporation shall pay the amount which shall have been awarded as due, to the last mentioned owners respectively whenever the same shall be lawfully demanded together with interest at the rate of six per cent, per annum

Sect. 9 That the said Corporation be and they are hereby authorized to construct and use a road of suitable width and dimensions, to be determined by the said Corporation, within the limits prescribed in the first section of this act, and shall have power to regulate the time and manner in which goods and passengers shall be transported, taken and carried on the same

as well as the manner, in which they shall collect ~~all~~ tolls and dues an account of transportation and carriage, and shall have power to erect and maintain, toll houses, and other buildings for the accommodation of their concerns as they may deem suitable to their interests and to collect tolls as soon as any part thereof shall be finished.

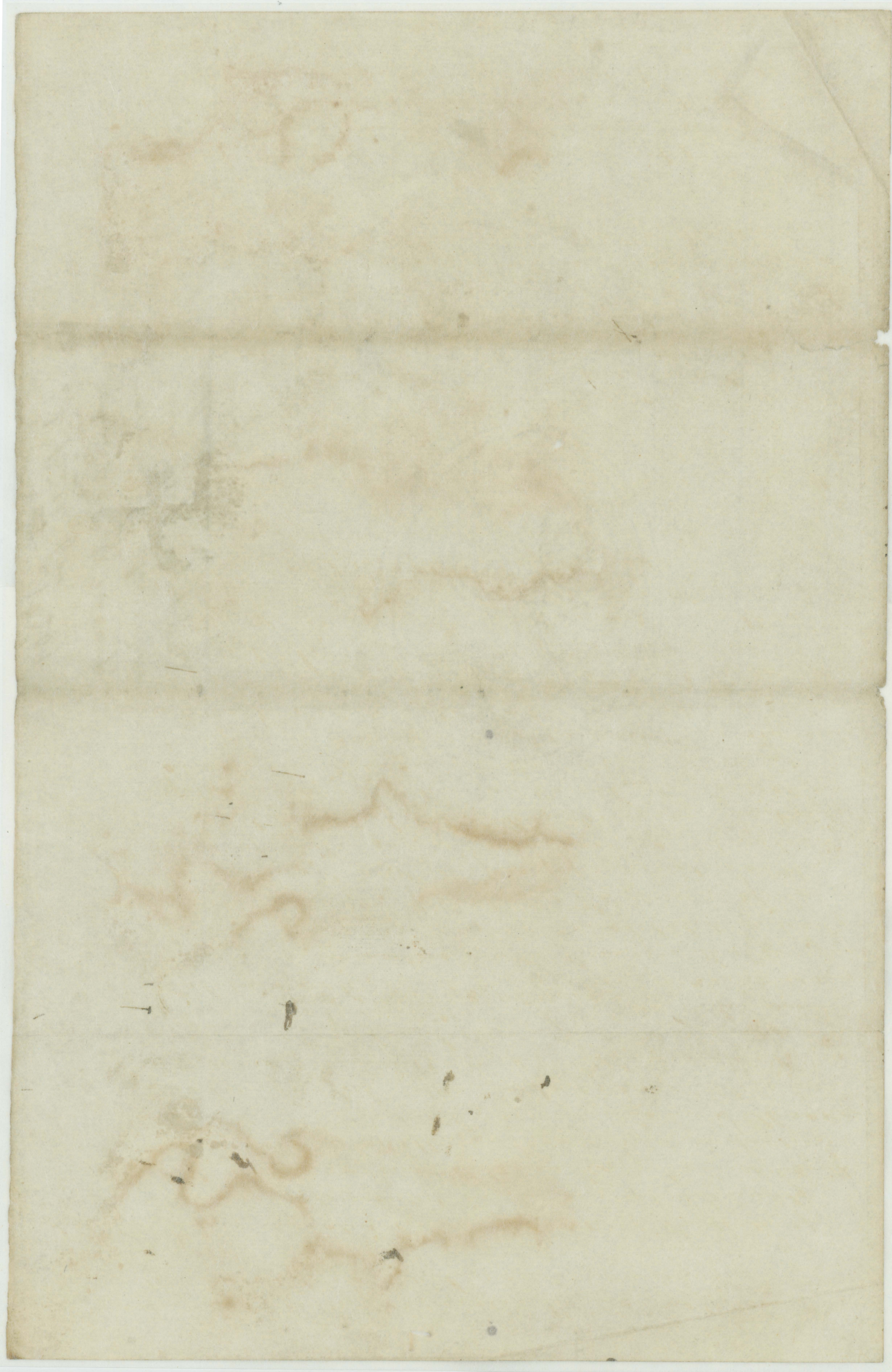
Sect. 10. The president and directors of said Company (if it shall be so decided by a full majority of all the stockholders, therein voting as ~~the~~ herein before provided) shall cause to be constructed, a double or single rail road or way along the same route, as they may think proper, which shall be subject to the same rules & regulations as herein provided

Sect. 11. That whenever, it shall be necessary for the construction of the said rail road to intersect, any stream of water, or water course or any road or highway, between the places mentioned in the second section of this act it shall be lawful for the ~~corporation~~ corporation to construct said rail road or track way, across or upon the same, but the corporation shall restore the stream or water course, or road or highway thus intersected, to its former state sufficiently so, as not to obstruct its navigation or usefulness in any respect whatever,

Sect. 13. That if any person or persons shall wilfully do or cause to be done, any act or acts whatever, whereby any building construction or work of the said corporation or any engine, machine, or structure or any matter or thing appertaining to the same shall be stopped, obstructed impaired weakened injured or destroyed the person or persons so offending, shall forfeit and

pay to the said Corporation, double the amount of the damages sustained by means of such offense or injury, to be recovered in the name of said Corporation, with costs of suit by action of debt to be brought before any court of record in this state or before any justice of the peace, in the counties where such injuries may have accrued, and the person or persons so offending, shall be deemed guilty of a misdemeanor, and liable to fine and imprisonment for a term not exceeding one month,

sect. 14. This act shall be deemed a public act and shall be favorably construed for the purposes therein expressed and declared in all courts and places whatever. And the Legislature reserve the right to alter amend or repeal this act at pleasure, when the public good shall require the same. Provided that should the legislature repeal this act the said company shall have three years to wind up their business.



A Bill for. No 209

an act to incorp-
-orate the Louisiana
and Mississippi
Rail Road Compa-
-ny.

2

To be Engraved
C. H. H. R.