

L A W S

OF

THE STATE OF ILLINOIS,

PASSED BY

THE FOURTEENTH GENERAL ASSEMBLY.



REGAN

And held at Springfield, December 2nd, 1844.

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1845.

try, or a certified copy thereof shall be evidence in all questions and controversies connected with said change; but if a majority of said votes shall be cast against attaching said territory to the county of Cass, then this act and all things connected herewith shall be null and void.

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SEC. 4. If the said territory shall be attached to the county of Cass, under the provisions of the foregoing sections, all moneys, notes, mortgages, and papers, appertaining to the school fund, belonging to the inhabitants of said township seventeen, in the hands of the school commissioner of Morgan county, shall be paid over to the school commissioner of Cass county.

How school fund to be disposed of.

SEC. 5. All justices of the peace and constables in Morgan county, who may reside in the territory to be attached to the county of Cass, shall hold their offices and have jurisdiction in the county of Cass: *Provided*, said territory is attached, as though they had been originally elected in said county.

Proviso.

SEC. 6. The passage of this act shall in nowise affect the collection of any tax, that has been heretofore levied for State, county, or other purposes, by the proper officers of the county of Morgan, but said taxes may be collected and appropriated as though the territory, herein provided to be attached to Cass county, had continued to compose a part of the county of Morgan.

Collection of tax not to be affected.

SEC. 7. The county of Cass shall collect and pay over to the county of Morgan a ratable portion of the debt of said county, said ratable proportion to be paid over, in three years in equal annual instalments: *Provided*, all the expenses of said election shall be paid by the county of Cass.

APPROVED, February 26, 1845.

AN ACT to incorporate the Lake Michigan Hydraulic Company.

SECTION. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Thomas Dyer, William B. Ogden, William E. Ives, Walter L. Newberry, Henry Smith, Mahlon D. Ogden, John H. Kinzie and John B. Turner, and such other persons as may be associated with them for the purpose herein mentioned, and their assigns, be, and they are hereby constituted a body corporate and politic, under the name and style of the "Lake Michigan Hydraulic Company," with the power to them and their successors under their said corporate name, to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all courts of law and equity in this State; to make, have, and use a common seal; to alter and renew the same at pleasure; to take, hold, sell, exchange, or otherwise dispose of such property as may be necessary to carry into effect the object of said company and also to ordain,

In force, Mar. 1, 1845.

Thomas Dyer and others constituted a body corporate.

Name & style.

To sue and be sued.

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establish and put in execution such by-laws, ordinances and regulations as may be necessary, proper or convenient for the government and management of said company not contrary to law.

Charter in force for 50 years, subject to repeal.

SEC. 2. The capital stock of said company shall not exceed two hundred thousand dollars.

When to commence; when completed.

SEC. 3. This charter shall be and continue in force subject to the right of alteration or repeal as hereinafter provided, for fifty years: *Provided*, that said company shall within three years commence the construction of the necessary works for the introduction into the city of Chicago, of the water of Lake Michigan, and complete the same within five years thereafter, so as to introduce the water of Lake Michigan into said city.

Corporation allowed to construct fountains, reservoirs, &c.

SEC. 4. The said company in order to carry into effect the object of said incorporation, shall have power and authority to build and construct on the north side of the Chicago river, fountains, reservoirs, and other necessary and convenient works; to make and lay conduit pipes or tunnels, for the conveyance of said water under and along the public highways, streets, lanes, alleys, and side walks, or any of them in said city, on the north side of the Chicago river; to put up fire plugs, hydrants, and other apparatus, for conveying and using such water, at such places as they may deem convenient for public use, and convenience; to renew and repair the same, having at all times during the progress of said work one-half of said street or alley unobstructed, and restoring the same after its completion to its former condition. And the said company shall have the right to supply by hydraulic works, the water of Lake Michigan to the people living on the north side of the Chicago river only: *Provided*, that all persons may supply themselves with water from Lake Michigan, or purchase the same of watermen at their option. Said company may sell the water from their works at such prices and on such terms and conditions as they may think proper and fit. Any person who shall without permission from said company, use water from their hydrants, water cocks, or other apparatus, shall for any such offence forfeit to said company the sum of not less than five dollars, nor more than fifty, to be recovered by said company in an action of debt before any circuit court or justice of the peace in the city of Chicago: *Provided further*, that said company shall not extend their works nor convey water to the south side of the Chicago river.

North side of Chicago river.

Said company allowed to sell water from their works.

Penalty for using water without leave.

How to be recovered.

Company not to extend their works to south side of the river.

Polluting said water, &c.; how punished.

SEC. 5. If any person or persons shall wilfully pollute said water by throwing in, or depositing in any pipe, tunnel, hydrant, reservoir, or fountain, conducting or containing the same, any impure, unwholesome, or offensive substance; or by bathing, or washing clothes in said reservoir, or shall injure any of the works, or machinery used in raising, contain-

ing, forcing or conducting said water, the person or persons so offending, shall be liable to a fine of not exceeding one hundred dollars to the use of said company, for each and every offence, recoverable before any court of competent jurisdiction, and shall also be compelled to remove all nuisances by him or them created as aforesaid, forthwith, under the further penalty of ten dollars for every twenty-four hours said nuisances shall continue, to the use of said company aforesaid: *Provided*, that said fines and penalties shall not prevent said company from recovering damages in a civil suit, for any injury done to said works.

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Fines, &c. not to take away rights, &c.

SEC. 6. The officers of said company shall consist of a president and four directors, who shall be annually chosen from among the members of the company at the time such election may be held, and in such manner as they may ordain and direct. The first election therefor shall take place at such time as the members or a majority of them may deem expedient; each member at said first election having one vote, and in case of the death or resignation of the president or either of one or more of the directors, then the vacancy shall be filled by the board.

Officers of said company, who to be.

How chosen.

SEC. 7. The directors or a majority of them shall have full power to appoint and employ, and in their discretion to remove or dismiss a secretary, treasurer, and all such other officers, clerks, agents, mechanics, laborers and servants, as they shall deem necessary from time to time; to attend to, and transact or execute all the affairs and business of the company, and fix their compensation; to contract, agree for, and purchase, rent or hire, all such lands, chattels, materials, rights, privileges and effects whatever, and to sell or otherwise dispose of the same, in their discretion; to divide the capital stock into shares among the members of said company, and to call for such instalments on each share, as the board of directors may deem necessary for the interests of the company; and in case of a failure on the part of any of the members of said company, or their assignee or assignees, to pay said instalments when required, or within thirty days thereafter, all the interest they may have or possess in said company, shall be forfeited to the members thereof: *Provided*, That six weeks' notice either in writing of such call, shall be given, or in some one of the newspapers printed in Chicago.

Directors of company.

Their powers.

SEC. 8. The said company may meet and organize at such time as they think proper, open books for the subscription to the capital stock, and make such regulations concerning the same not inconsistent with this act as they think proper; all power and authority necessary to carry out the objects of this incorporation is hereby conferred upon said company.

Company how to meet and organize.

Their powers.

SEC. 9. Nothing herein contained shall be so construed as to deny to the General Assembly the right or power to alter,

Amend or repeal.

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amend or repeal this act whenever the public good may require the same.

Act not to
take effect &c.

SEC. 10. This act shall not take effect in case the "Chicago Hydraulic Company," now in operation in the city of Chicago, shall within six months from the passage of the same, commence the necessary arrangements, to furnish water for the use of the inhabitants on the north side of the Chicago river, and shall within twelve months thereafter be prepared to, and shall supply the inhabitants generally in that part of the city aforesaid, water upon such usual and established terms and prices as the said company may from time to time legally adopt.

APPROVED, March 1, 1845.

In force,
Feb. 21, 1845.

AN ACT to change the name of a society in Bond county.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the name of the "First Presbyterian Society of Greenville and its vicinity," be, and the same is hereby changed to that of the "First Congregational Society of Greenville and vicinity," and by the latter name shall hereafter be called and known: *Provided,* that nothing herein shall be so construed to affect any right or property acquired by said society, or the title or titles thereto, or any contract entered into, or with them under said name.

APPROVED, February 21, 1845.

In force,
Mar. 3, 1845.

AN ACT to drain a marsh in Gross Point precinct, Cook county, and for other purposes.

Nam's of com-
missioners,
their duties.

Route of ditch

SECTION. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That E. H. Mulford, Edward Murphy and John Dye be and they are hereby appointed commissioners to lay out and superintend the construction of a ditch or drain through the marsh, situate, lying and being in Gross Point precinct in the county of Cook, commencing on the farm of one David Hood at the crossing where the Chicago road passes said marsh and extending northerly along the premises of Edward Murphy and E. H. Mulford and others, and lying principally between the said roads passing said Mulford on one side and said Murphy on the other side and running towards Chicago.

Dimensions of
ditch to be de-
termined, &c.
Previso.

Privilege of
persons own-
ing land, &c.

SEC. 2. The said commissioners are hereby vested with full power and discretion to determine the dimensions and direction of said ditch and superintend its completion; *Provided,* That the said commissioners shall where the same is practicable follow sectional lines. Persons owning lands on either side of said work and contiguous thereto shall be permitted by the commissioners to do their portion of the work, by