

~~For~~ ~~the~~ ~~purpose~~ ~~of~~ ~~an~~ ~~act~~ ~~enacted~~ ~~and~~ ~~it~~
to induce the early completion of the
Illinois and Michigan Canal.

~~Sec. 1. Be it enacted by the People of the~~
~~State of Illinois, represented in the~~
~~General Assembly: That the Contractors,~~
or the legal representatives of Contractors
on the Illinois and Michigan Canal, engaged
in the construction thereof, or who have
existing contracts for its construction at
the time of the passage of this act, and
who shall become stockholders agreeably
to the provisions of this act in the Associ-
ation hereby created, shall be, until
the completion of the Illinois and Michigan
Canal, and until such reasonable time
thereafter as shall be necessary to the
liquidation and close of the business
growing out of the authorized engagements
of said Association - a body corporate and
politic by the name and style of the Canal
Contractors Association; and by that name
and style such Association shall be com-
petent through their President and Directors
to contract and be contracted with, and
be capable in law and equity to sue and
be sued, plead and be impleaded,
answer and be answered unto, defend and
be defended in all Courts and places,

And in all matters whatsoever, and may have and use a Common Seal, the same to alter and renew at pleasure.

Sec. ~~11~~ ¹⁰

The Capital Stock of said Association or Company shall be the sum to which a Subscription of ~~Five~~ One Thousand Dollars by each and every Contractor or firm of Contractors or the legal representative or representatives of said Contractor or firm subscribing hereto shall amount.

Each One Hundred Dollars so subscribed to constitute one Share and be entitled to one Vote.

Sec. ~~12~~ ¹¹

None but Contractors at the time of the passage of this Act or their Assigns or proper representatives shall be subscribing to the Stock of the Association hereby created, and each Contractor or firm shall be entitled to an equal interest in the same. No sale or transfer of Stock shall be made except by Consensus of two-thirds of the Board of Directors or a majority of the Stockholders.

Sec. ~~13~~ ¹²

13 Any Contractor, or firm of Contractors who may not choose to become a party to the Association hereby created, may,

Notwithstanding, have all the privileges of Contractors of this Association in the Negotiation of bonds through an agent by paying a pro rata share of the expenses of the negotiation and giving the same security to the Board of Canal Commissioners as ~~it~~ ~~shall~~ ~~be~~ required of the Members of said Association.

Sec. 14

The Board of Commissioners of the Illinois and Michigan Canal are hereby required to open Books of Subscription to the Stock of said Association at Lockport within ninety days from and after the passage of this Act - giving at least ten days notice of the time of opening said books, which shall be kept open for two successive days, and at least six hours in each day. Each subscriber shall pay at the time of subscribing five per cent upon the amount of his or their subscription. On the day succeeding the closing of the books of Subscription, the Commissioners shall hold an election for nine Directors, who shall be chosen from the Stockholders by a majority of all the votes and who shall hold their offices during the existence of this Association unless sooner removed by a majority of ~~two thirds~~ of all the votes of said Association.

Sec. 15

Upon the election of directors as aforesaid, the Commissioners shall deliver to them the books of Subscription and all Monies paid in on account of Stock.

Sec. 16

The directors shall forthwith proceed to elect one of their number as President. And the President and directors or a Majority of them shall constitute a quorum to do business. They shall give notice to the Stockholders to pay, or secure to be paid within thirty days after the organization of said board, the sum of ninety-five per centum upon the amount of their Subscription, or the same may be declared forfeited to the use and benefit of said Association. They shall have power to ^{appoint} a Treasurer and such other officers and Agents as may be necessary to carry into effect the objects of this Association, and do all other acts and things necessary and proper for such an Association to do in facilitating the completion of the Illinois and Michigan Canal, to the end of its engagement with the State. They shall keep a correct account of all monies received and disbursed and a faithful record of the proceedings of the Association, which

shall at all times be subject to the inspection of the Stockholders. They shall have power to fill all vacancies which may occur in their number by death ^{until the next meeting of the Stockholders} resignations or otherwise, and to call Special Meetings of the Stockholders.

Sec. 17

The Stockholders shall meet annually at such place as the President and directors may appoint, at which meeting the directors shall present a clear and distinct report of the conditions of the Association.

Sec. 18

The Board of directors may require the Treasurer to give bond for the faithful discharge of the duties of his office, in such sum as they may deem proper.

Sec. 19

It shall be the duty of the Board of Canal Commissioners to execute contracts with the President, ^{and} Directors and Company of this Association, for the construction of such portions of the Illinois and Michigan Canal as have not heretofore been put under contract, at such prices as have been reported by the Chief Engineer; and for all work heretofore abandoned or relinquished or which may hereafter be abandoned or

relinquished, at the prices specified in the original contracts or at estimates of said Chief Engineer; and for any work to be done, which has not been estimated by said Engineer at such prices as the Engineer may determine. And the said Association bind themselves and their assigns to complete and put in full operation the entire line of the Canal within three years from the passage of this act.

~~Provided that the State shall at all times furnish this association with the necessary amount of State Bonds upon the conditions expressed in this act~~

The said corporation shall give bond to the Governor and his successors in office conditioned for the faithful construction and completion of said canal in three years, as herein required in the sum of one hundred thousand dollars, with such security as the Canal Commissioners may require, Provided that the State shall at all times furnish this association with the necessary amount of state bonds upon the conditions expressed in this act. Provided always that the Commissioners of the Illinois and Michigan Canal, shall advertise the work on the said Canal not under contract, in the manner heretofore directed by Law; and if such works shall not be bid for or taken by responsible persons, who will receive canal bonds at par, in payment for the work done, under the said contracts, at less than the present estimates of the engineers; then the said works, shall be let to the contractors associated under the provisions of this act. And provided further that when any work shall be let to any person or persons, other than those belonging to said association, then said association shall not be held responsible for the completion of the same. And provided further that the bonds to be paid for such work, shall be sold in the same manner, at not less than the prices for which

bonds

bonds may be sold by the said association

Passed the House of Representatives
This 27th day of Feby 1841 -
Jellison C M A R -

21-193 House
A Bill for an act
for the early comple-
-tion of the Illinois
and Michigan Canal

Engraved