

LAWS

OF THE

STATE OF ILLINOIS,

PASSED BY THE

NINTH GENERAL ASSEMBLY,

AT THEIR

Second Session,

COMMENCING DECEMBER 7, 1835, AND ENDING JANUARY 18, 1836.

PUBLISHED IN PURSUANCE OF LAW.

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1836.

proper, and shall lay before the stockholders a particular statement of the profits, if any there be, after deducting losses and dividends, and also, all such other information relative to the affairs of said company, whenever a majority of the stockholders shall require it; and said company shall not take any risk, nor subscribe any policy by virtue of this act, until one moiety of the capital stock of said company shall have been paid in.

Prohibited
from dealing in
merchandise.

SEC. 9. Said company shall not, directly or indirectly, deal, or trade, in buying or selling any goods, wares, merchandise, or commodities whatever, and the capital stock of said company collected at each instalment, shall, within six months thereafter, be invested either in real estate, or loaned or secured by mortgage, of real estate in this state, at such rates of interest as are lawful for individuals to charge in this state: *Provided*, That it shall not be lawful for any body corporate, bank, or company, within the limits of this state, to hold any portion of the capital stock of said company, nor shall any body corporate, bank, or company, in this state holding stock of said company, be entitled to vote at any election for directors of said company.

Proviso

Individual es-
tate of the com-
pany liable for
all losses over
the amount of
capital stock.

SEC. 10. That in case of any loss or losses taking place, which shall be equal to the amount of the capital stock of said company, and the president and directors, after knowing of such loss or losses, having taken place, shall subscribe to pay any policy of insurance, their estates, jointly and severally, shall be accountable for any and every loss which shall take place under policies so subscribed; and the estates of the stockholders, as aforesaid, shall be liable to any losses equal to the amount of said capital stock subscribed and not actually paid in, in all cases of losses exceeding the means of said company, whether they consist of stock paid in, or profits not divided.

APPROVED, Jan. 15, 1836.

In force 18th
Jan. 1836.

AN ACT to incorporate the Chicago Hydraulic Company.

Preamble.

WHEREAS, The health and convenience of the inhabitants of the town of Chicago, in the county of Cook, as well as the security of property against the ravages of fire, would be greatly promoted by the introduction of a plentiful supply of pure and wholesome water in said town; Therefore,

SEC. 1. *Be it enacted by the people of the State of Illinois,*

represented in the General Assembly, That James B. Campbell, Gholson Kercheval, Robert A. Kinzie, Richard I. Hamilton, Henry G. Hubbard, David Hunter, Peter Cohen, Ed. W. Casey, Gurdon S. Hubbard, G. W. Dole, John H. Kinzie, William Forsythe and Solomon Wills, and their heirs and assigns, be, and they hereby are constituted a body politic and corporate, under the style and title of the "Chicago Hydraulic Company," with the sole power to them and their successors, by their corporate name, to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all courts of law and equity in this state; and to make, have, and use a common seal, and the same break, alter or renew at their pleasure; and to take, and hold such property, real, personal, or mixed, as may be necessary to carry into effect the object of said company or incorporation; and the same to sell, exchange, or otherwise dispose of; and also to ordain, establish, and put in execution, such bye-laws, ordinances and regulations, as may be necessary, proper or convenient, for the government of said incorporation, not contrary to law or the constitution.

Company in-
corporated.

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

Capital Stock

SEC. 3. The charter of incorporation shall be and continue in force for and during the term of seventy years, from and after the passage of this act; *Provided*, That the said company shall, within four years from this date, commence the construction of the necessary works, for the introduction into said town, of the water of lake Michigan.

In force 70 yr's

Proviso.

SEC. 4. The said company, for the more effectually completing the object of said corporation, shall have power and authority, to build and construct fountains, reservoirs, and other necessary works; to make and lay conduits, pipes, or tunnels, for the conveyance of said water, under and along the public highways, streets, lanes, alleys and sidewalks, or any of them, in said town of Chicago; to put up fire plugs, or hydrants, at such places as they may deem convenient for public use, and the same from time to time to renew and repair—leaving at all times, during the progress of said work, one-half of said streets or alleys unobstructed; and immediately after the laying of said pipes or conduits, restore the street or alley through which the same may pass, or which has been dug up or opened, to its former condition. And further, said company shall have the sole privilege to grant to all persons, whomsoever—to all bodies corporate and politic, the privilege of using said water, so introduced, as aforesaid, in such manner, and upon such terms and conditions, and in such quantities, respectively, as they shall think fit.

Powers defined

Persons polluting water, injuring works, &c.

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, containing, 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.

Proviso.

Election of officers.

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.

To appoint officers, agents.

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.

Stock divided into shares.

Proviso.

APPROVED, Jan. 18, 1836.