

ACTS

PASSED AT THE THIRTEENTH SESSION

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF ARKANSAS,

WHICH WAS BEGUN AND HELD IN THE CAPITOL, IN THE CITY OF LITTLE
ROCK, ON MONDAY, THE FIFTH DAY OF NOVEMBER, ONE THOUSAND,
EIGHT HUNDRED AND SIXTY, AND ENDED ON MONDAY
THE TWENTY-FIRST DAY OF JANUARY, ONE
THOUSAND, EIGHT HUNDRED
AND SIXTY-ONE.

PUBLISHED BY AUTHORITY.

LITTLE ROCK:
JOHNSON & YERKES, STATE PRINTERS.
1861.

to sell, barter, or exchange any vinous or ardent spirit in any quantities whatever, within three miles of Cane Hill College, and Cane Hill Female Seminary, in the county of Washington, and state aforesaid.

SEC. 2. *Be it further enacted*, That any person who shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor, and on conviction, shall be fined in any sum not less than fifty, nor more than two hundred dollars; every single or separate offence is hereby declared a violation of this act, and shall be so punished.

SEC. 3. *Be it further enacted*, That this act is not intended to apply to any practicing physician, who may sell ardent spirits strictly for medicinal purposes; and this act to take effect and be in force from and after the first Monday in March, eighteen hundred and sixty-one.

APPROVED, January 21, 1861.

No. 190.

AN ACT to incorporate the *Pine Bluff Water Works Company*.

SECTION

1. Certain persons named incorporated by the style of "The Pine Bluff Water Works Company." Charter to continue 99 years. Powers of the company.
2. Capital stock \$25,000—may be increased to \$50,000. Shares \$100 each. When to organize. May issue bonds not beyond stock subscribed.
3. To be under control of not less than three directors. Vacancies, how filled.
5. Board to elect president and other officers.

SECTION

5. Powers of the board in relation to stock subscribed.
6. City of Pine Bluff authorized to subscribe for stock. May issue bonds to secure payment, at 8 per cent. interest.
7. When city entitled to director.
8. Company not to contract liabilities binding individual stockholders beyond amount of stock.
9. Stock of company personal property.
10. Penalty of injuring property of company.
11. Act in force from its passage.

SECTION 1. *Be it enacted by the General Assembly of the State of Arkansas*, That Josiah Snow, James Katchum, and William D. Snow, and their associates and assignees, are hereby created a corporation and body politic, for the erection of a water works in the city of Pine Bluff, under the name of the "Pine Bluff Water Works Company," with succession for ninety-nine years; and by such name shall be capable to sue and be sued, plead and be impleaded, answer and be answered unto, either in law or equity, in any court of competent jurisdiction; and shall have power to make and use a common seal, the same to alter and renew at pleasure; to buy and sell, hold and convey real and personal estate, necessary to carry out the objects and purposes of this charter, or in the securing or collection of debts; to make contracts and enforce the same, and to establish and put in full force such by-laws, rules and regulations as may be necessary and proper to carry into effect the provisions of this act; and shall have all the powers incident to corporations at common law, not inconsistent with the laws of this state. And the company is 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, and the said company is hereby authorized and empowered to purchase and hold all the real estate necessary for the erection of the water works, tanks, reservoirs; buildings, offices, machinery and outbuildings.

SEC. 2. *Be it further enacted*, That the capital stock of the company shall be twenty-five thousand dollars, with the privilege, at any time, to increase it to fifty thousand dollars, by a vote of the board of directors; said stock to be divided into shares of one hundred dollars each, and whenever stock to the amount of five thousand dollars is subscribed for, the company may be organized and legally proceed to business. The company is hereby authorized, should it be deemed expedient by the board of directors, to issue bonds, bearing interest, in a sum not less than two hundred and fifty dollars, payable at times after date, and in amount not to exceed the capital stock sub-

scribed and paid in, for the purchase of the real estate, engines, machinery, pipe or other fixtures.

SEC. 3. *Be it further enacted*, That the affairs of the company shall be under the management of not less than three directors, to be chosen from among the stockholders, who shall hold their offices for one year from the date of the organization of said company, or until an election shall have been made to fill their places. In case of death or resignation of any one or more of said directors, their places may be filled by a majority of the remaining members of the board of directors, and such director so elected, shall hold his office until the next annual meeting of the stockholders.

SEC. 4. *Be it further enacted*, That said board of directors shall elect one of their number as president, whose official acts will be binding upon the company, and shall also elect one of their body treasurer, and appoint a treasurer; the duties of the offices to be defined in the by-laws of the company.

SEC. 5. *Be it further enacted*, That said company shall have full power and authority, through their board of directors, to make calls for payments, in installments, upon the subscribers to the stock of said company, at any time that they may deem necessary, through the treasurer of said company, and in default of payment, or payments so ordered, the subscribing stockholder or holders neglecting to make said payments, shall be liable to be dealt with, according to the by-laws of said company.

SEC. 6. *Be it further enacted*, That the city of Pine Bluff is hereby fully empowered and authorized, through its board of aldermen, to subscribe to the capital stock of said water works company, for an amount not exceeding fifteen thousand dollars, and to issue bonds for the same, with coupons attached, for annual interest of eight per centum; said bonds to be payable at times the board of directors may agree upon, when issued; for the payment of the annual interest on said bonds, the board of aldermen are hereby authorized to pay the same out of any corporation, or other funds not specially appropriated to any other purpose, and to levy money, by taxation, to pay said

interest, and also, to levy money, by taxation, to pay said bonds issued for said stock, when they become due and payable.

SEC. 7. *Be it further enacted*, That in case the city of Pine Bluff subscribes for stock in said company, the said city shall be entitled to a director in said water works company, the said director to be appointed by the board of aldermen of said city.

SEC. 8. *Be it further enacted*, That no officer of the company, or board of directors, shall contract any liabilities binding on the individual stockholders of the company beyond the amount of stock he or they may subscribe, nor upon the city of Pine Bluff, in case it becomes a stockholder.

SEC. 9. *Be it further enacted*, That the stock of this company shall be considered personal property.

SEC. 10. *Be it further enacted*, That any person found guilty of injuring, cutting, or in any way damaging the pipes of the company, shall pay a fine of not less than three hundred dollars, and be imprisoned not less than three months, and pay all damages sustained thereby.

SEC. 11. *Be it further enacted*, That this act shall take effect from and after its passage.

APPROVED, January 21st, 1861.

No. 191.

AN ACT to pay the judge of the probate and county courts of Ashley, Pulaski, Hempstead and Jackson counties, Arkansas, a regular salary per annum.

SECTION

1. Salary to county and probate judges in certain counties.

SECTION

2. Act to be in force from its passage.

SECTION 1. *Be it enacted by the General Assembly of the State*