

# L A W S

OF THE

## STATE OF MISSISSIPPI,

PASSED AT A REGULAR BIENNIAL SESSION

OF THE

## LEGISLATURE,

HELD IN THE

CITY OF JACKSON

IN JANUARY AND FEBRUARY, A. D. 1844.

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JACKSON:

C. M. PRICE & S. ROHRER, STATE PRINTERS.

1844.

## CHAPTER 99.

AN ACT to incorporate the Winn Water Works Company of the City of Vicksburg.

Compa-  
ny incor-  
porated.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That Albert M. Winn and Jno. C. Winn, their heirs and assigns, shall constitute a body corporate, and they are hereby incorporated, under the name and style of the Winn Water Works Company of the City of Vicksburg, and in that name may sue and be sued, plead and be impleaded, and shall possess and enjoy all the rights, privileges and immunities incident to a corporation or body politic, in law or equity, with power to make such by-laws, rules and regulations, not inconsistent with the laws of this State or of the United States, as shall be necessary to the ordering and well conducting the affairs of said company; and the said company shall be capable of purchasing, accepting, holding, leasing and conveying estates real, personal and mixed, to the end, and for the purpose of erecting and constructing water works in the city of Vicksburg: *Provided,* the said property does not exceed in value, exclusive of the water works, the sum of one hundred thousand dollars.

SEC. 2. *Be it further enacted,* That said company are hereby invested with all the rights, privileges and power necessary for constructing, repairing and keeping up water works, in or near the city of Vicksburg, to supply the inhabitants of said city with water, and for the purpose hereinafter mentioned.

SEC. 3. *Be it further enacted,* That said company may supply private families, public houses, manu-

factories and institutions with water, upon such terms, and for such time, as may be mutually agreed upon between said company and the parties, by contract in writing.

SEC. 4. *Be it further enacted*, That the said company shall, at their own expense, and free of charge to the corporation of the city of Vicksburg, and the inhabitants thereof, erect one good fire plug, and keep the same in repair, sufficiently large for the hose of the fire companies of said city, to each square on which there are none, or on such as may hereafter have eight or more good and substantial stores or houses, to be used under the direction of the corporate authorities of said city, for the purpose of extinguishing fire, and for no other purpose whatever: *Provided*, that one of said fire plugs shall be made ready for use on Washington street, within twelve months from the passage of this act, and the others as the work progresses; and on failure, the privileges hereby granted to said company shall cease, upon an ordinance of the Mayor and Council of the city of Vicksburg declaring said failure, and revoking their assent to the further prosecution of work by said company.

To erect  
fire plugs.

SEC. 5. *Be it further enacted*, That, if any person or persons shall wilfully injure or destroy any part of said water works, or attempt so to do, constructed by said company under this act, or any other of their works, pipes, fire plugs, or whatever else may appertain thereto, such person or persons so offending, shall, for every such offence, be liable for all damages occasioned thereby, and may furthermore be proceeded against by indictment, and be punished by a fine not exceeding one thousand dollars, and impris-

onment not exceeding twelve months, at the discretion of the court.

SEC. 6. *Be it further enacted*, That the Mayor and Council of the city of Vicksburg may pass all ordinances hereafter that may be necessary for the protection and advancement of the said water works; *Provided*, that the same shall not be inconsistent with the laws of this State or of the United States, and shall not involve the said city, or its inhabitants, in any expense, or subject them to any tax; *And, provided further*, that the same shall not endanger the health or interest of said city; *And, provided further*, that all injury and damages done to the streets, gutters and sidewalks of said city, and to the property of any of the citizens thereof, shall be repaired, and the same put in good order by the said company.

Company  
may ap-  
point offi-  
cers.

SEC. 7. *Be it further enacted*, That not more than one-third of the width of any of the streets of said city shall be used or obstructed while laying the pipes of said company.

SEC. 8. *Be it further enacted*, That said company may appoint a President and Directors and such other officers as may be necessary to the management and conduct of said company, and remove the same at pleasure.

Of suits.

SEC. 9. *Be it further enacted*, That said company may sue and be sued upon contracts entered into under this act, either in the Circuit Court of the county of Warren, or the Mayor's Court of the city of Vicksburg: *Provided*, that an appeal may be taken from the latter court to the Circuit Court of Warren county, by either party dissatisfied with the decision of said Court.

SEC. 10. *Be it further enacted*, That said company shall not engage in any traffic or trade under this charter, otherwise than is herein authorized and allowed; shall exercise no banking privilege; shall issue no notes, tickets, promises, or underwritings for money, or any other thing which can be used as change or circulating medium; and if the said company shall attempt to evade or violate this section, all the powers and privileges herein conferred shall instantly cease and determine, and each member of said company be liable, upon indictment and conviction, to a fine of two thousand dollars, and imprisonment in the penitentiary for not less than five years.

Not to engage in banking or other business under this charter.

SEC. 11. *Be it further enacted*, That if said company shall, in any thing, violate this act, or attempt to evade the same, the same may be declared forfeited upon a *scire facias* from the Circuit Court of Warren county, requiring said corporation to show cause why such forfeiture should not be declared.

Of forfeiture of privileges

SEC. 12. *Be it further enacted*, That this act shall be in force from and after its passage.

Approved February 24, 1844.

## CHAPTER 100.

AN ACT to incorporate the Grand Lodge of the Independent Order of Odd Fellows in the State of Mississippi.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That Richard Griffith, F. O. Wadsworth, Marine Ruffner, William Dale, B. Walker, J. R. Stockman, George J. Dicks, Andrew

Created body politic.