

L A W S

OF THE

STATE OF MISSISSIPPI,

PASSED AT A

REGULAR SESSION OF THE LEGISLATURE,

HELD IN THE

CITY OF JACKSON,

COMMENCING JANUARY 8, 1884, AND ENDING MARCH 15, 1884.

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1884

CHAPTER DLXX.

AN ACT to incorporate the Vicksburg Water Works Company.

Incorporators. SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That William H. Howell, Charles H. Ledlie, George W. Foote, George M. Church and Edward W. Falconer, and all other persons who may hereafter become associated with them, and their successors and assigns, or any three of them, be and they are hereby created a body politic and corporate under the name, style and title of the "Vicksburg Water Works Company," and by that name shall have perpetual succession, for the purpose of obtaining and supplying the city of Vicksburg, and all persons within its borders, with water, for public, domestic and manufacturing purposes, and for building, erecting and owning machinery and fixtures for said purpose, and for buying, owning and holding such real and personal property as may be necessary in connection with, or advantageous to the object and purposes of this charter; and may sue and be sued, plead and be impleaded in all courts of law and equity; and shall have and use a corporate seal with the right to change or alter the same at pleasure; and shall have the power of granting and receiving in its corporate name and capacity, such property, real and personal, as may be necessary in carrying on, enlarging or reducing its business.

Name and powers.

Reservoirs. SEC. 2. *Be it further enacted,* That the said corporation shall have the right to erect and establish a reservoir or reservoirs of sufficient area and capacity to furnish an adequate supply of water to meet the fullest demands; to erect engines, rams or other machinery necessary or advantageous to the supply or distribution of water; to lay mains, pipes, conductors or aqueducts; and for the purpose of erecting or establishing the same, whether reservoirs, machinery, ditches, dams, laying of pipes or tapping the same, building aqueducts or any other thing necessary to be done in the furtherance of the objects of this act, the said corporation, its agents or employees, and the

officers thereof, may enter upon the lands of any person or persons or corporation; and in case an agreement cannot be made between this corporation and the owners of the land which may be needed for the uses and purposes of this company, as to the price thereof, or if the owner of said land be absent or unknown, or if he be a minor or *non compos mentis*, then this company shall have the right to have said lands condemned to its use in the following manner: Upon the application of either party, the clerk of the circuit court of Warren county shall issue a writ *ad quod damnum*, directed to the sheriff of said county, who shall, immediately upon the reception of said writ, cause a jury of seven good and lawful men to be on such land on a day appointed, of which five days' notice shall be given to the party or parties, which jury, after being duly sworn by said sheriff to make true and lawful inquest of the damages suffered by said owner or estate by reason of the use to which said land is to be appropriated by said company, shall proceed to view such land and ascertain and assess such damages. The verdict or inquest of such jury shall be returned to the office of said clerk; and, if the said company shall, within one month after such return, pay the amount thereof into the hands of such clerk, for the person or persons entitled thereto, the title to said lands shall at once vest in said company. Said clerk shall be responsible on his bond for the payment of sums so received to the person or persons so entitled thereto, on demand; provided, that this corporation shall pay all costs that may accrue or be incurred by reason of said condemnation proceedings, including the customary clerk's, sheriff's and jury fees.

Right to have
lands con-
demned.

Jury to assess
damages

Title to vest in
company.

SEC. 3. Be it further enacted, That the capital stock of this corporation shall be one hundred and fifty thousand dollars, to be divided into shares of not less than ten dollars each, with power to increase the same from time to time by a majority vote of the stockholders to a sum not to exceed one million dollars.

Capital stock.

SEC. 4. Be it further enacted, That the principal office of the company shall be at Vicks-

Principal office.

burg, Mississippi, with such branch offices located when and where the said company may deem proper, and the affairs and business of company shall be managed by a board of directors, of such number as the stockholders may select, a quorum of whom shall be such number as the stockholders may name; but for the purpose of organization, the corporators herein named shall constitute the board of directors, and shall hold office until their successors are elected and qualified. The officers of the company shall be a president, treasurer and secretary, and such other officers as the board of directors shall name, and the office of president, secretary and treasurer may be combined and filled by the president.

Directors and other officers.

SEC. 5. Be it further enacted, That the subscription to the capital stock of said company shall and may be paid in such installments, in such manner and in such property, real or personal, as a majority of the corporators herein named may determine. But the stockholders of this company shall not be liable for any loss, damage or responsibility beyond the assets of the said company; and the said company may make, alter, repeal or amend such by-laws and regulations, covering points of organization not herein specially provided for, as they may deem necessary and proper; provided, the same are not inconsistent with the provisions of the constitution of the United States, or of the State of Mississippi, or the provisions of this act.

Subscriptions to stock.

Liability of stockholders.

By-laws.

Stock certificates.

Contracts for water supply.

SEC. 6. Be it further enacted, That the said company may issue certificates of stock in such form and subject to such regulations as it may from time to time prescribe, with power also to issue bonds, with coupons attached, or other evidences of debt; to make such contracts for the furnishing of the city of Vicksburg with water as the board of mayor and aldermen may approve, and to make and establish such a schedule of prices for water supply, and pledge the same as security for the loan of money, and generally to do all other matters and things necessary to the proper and success-

ful transaction of the business for which it is organized.

SEC. 7. Be it further enacted, That any and all persons who shall wantonly, maliciously or negligently interfere with or injure the mains, pipes, ditches, reservoirs, fire plugs or other property of the said company which is used in obtaining a supply of water or in the distribution of the same, or who shall place in the water used by the said company before distribution or while in the pipes, any poisonous or unwholesome matter or material calculated to render said water unwholesome, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined or imprisoned, or both, at the discretion of the court.

Malicious damage to property.

SEC. 8. Be it further enacted, That this act take effect and be in force from and after its passage.

Approved, March 4, 1884.

CHAPTER DLXXI.

AN ACT to incorporate the Vicksburg Safe Deposit Company.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That E. S. Butts, T. M. Miller, J. Hirsh, Henry L. Mayer, A. Ruhman, S. Schwartz, Arthur Jacob, A. Warner, Jas. P. Roach, W. H. Bruser, E. C. Carroll, C. C. Flowerree, Geo. W. Hutcheson, Eugene Martin, J. M. Long, Jas. H. Walsh, S. Wachenheim, Murray F. Smith, F. M. Andrews, Fulton McRae, David Rice, A. Sartorius, Jr., R. H. Garrett, Jake Sortorius, Charles E. Wright, Jacob Schaffer, R. V. Booth, S. D. Robbins, Thos. Rigby, Geo. S. Irving, Thos. Geary, John Murphy, and their associates and successors, be and they are hereby declared a body corporate, under the name and style of the Vicksburg Safe Deposit Company, and by that name may have perpetual succession, may sue and be sued, plead and be impleaded, contract and be contracted with, and may adopt and use a common seal, and alter the same at pleasure.

Incorporators.

Name and powers.

SEC. 2. Be it further enacted, That the cap-