

as S. B. Bates, Austin Miss

L A W S

M. B.

OF THE

STATE OF MISSISSIPPI,

PASSED AT A REGULAR SESSION

OF THE

MISSISSIPPI LEGISLATURE,

HELD IN THE

CITY OF JACKSON,

Commencing January 5, 1886, and Ending March 18, 1886.

MISSISSIPPI LEGISLATURE

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PRINTED BY AUTHORITY.
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JACKSON, MISS.:

R. H. HENRY, STATE PRINTER,
1886.

SEC. 12. *Be it further enacted*, That this Act take effect and be in force from and after its passage.

Approved, January 22, 1886.

CHAPTER CCCLX.

AN ACT to prohibit the sale of spirituous and vinous or malt liquors within three miles of the town of Tylertown, in the county of Pike.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That it shall be unlawful to sell or expose for sale any spirituous or vinous or malt liquors within three miles of the town of Tylertown in the county of Pike. Unlawful to sell liquors.

SEC. 2. *Be it further enacted*, That for each violation of this law the party shall be fined not less than ten nor more than fifty dollars, or imprisonment not less than one nor more than six months in the county jail. Penalty.

SEC. 3. *Be it further enacted*, That this Act shall take effect and be in force from and after its passage.

Approved, February 24, 1886.

CHAPTER CCCLXI.

AN ACT to incorporate the Vicksburg Water Works Company.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That A. M. Paxton, Laz Baer, S. P. Metzger, Ben Hardaway, A. Warner, E. S. Butts, W. M. Chamberlin, Geo. S. Irving, Jas. P. Roach, Isaac Brown, Geo. W. Hutchinson, Joseph Hirsch, Ben Guider, Henry Yoste, T. J. Hosley and Sam Brown, 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 Incorporators.

Works," 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 conducting its business.

Powers of incorporation.

Right to erect reservoir, etc.

Right to condemn land.

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 employes and the officers thereof shall have the right to have condemned the lands of any person or persons or corporation needed for the uses and purposes of said company, and in case an agreement cannot be made between this corporation and the owners of the land, which may be so needed, 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 twelve good and lawful men to be on such land on a day appointed, of which notice shall be given to the owners of said land by writ of citation from said circuit court five days before said appointed time, or in case said owners cannot be found, or are non-residents, or are unknown, then by publication for three weeks as now provided by law to non-resident defendants to suits in chancery courts; the said 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, at the time appointed, 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.

Shall give notice to owner of land.

Jury to assess damages

Corporation to pay costs.

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 Vicksburg, Mississippi, with such branch offices located when and where the said company may deem proper, and the affairs and business of the com-

Location of offices.

pany 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.

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.

Capital stock not liable beyond assets.

By-Laws.

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; it may make such contracts for furnishing the city of Vicksburg with water as the board of mayor and aldermen may approve, and may 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 successful transaction of the business for which it is organized.

May issue bonds.

SEC. 7. *Be it further enacted*, That any and all persons who shall wantonly, maliciously or negli-

gently 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.

Penalty for
injuring
property.

SEC. 8. *Be it further enacted*, That an Act entitled an Act to incorporate the Vicksburg Water Works Company, approved March 4th, 1884, and all other Acts and parts of Acts inconsistent herewith, be and the same are hereby repealed.

Former acts
repealed.

SEC. 9. *Be it further enacted*, That this Act take effect and be in force from and after its passage.

Approved, February 20, 1886.

CHAPTER CCCLXII.

AN ACT to amend the charter of the town of Vaiden, in Carroll county, and to consolidate into one Act all Acts amendatory thereto.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That the town of Vaiden be and the same is hereby incorporated, and all Acts heretofore passed in anywise pertaining thereto be and the same are hereby repealed so far as the same may in any manner conflict with the provisions of this Act, and the corporate limits of said town shall be as follows: Commencing at the southeast corner of section 14, township 17, range 5, east, in Carroll county, and running thence in a southwesterly direction to the Shongalo and Middleton public road, at a point three hundred and fifty yards south of where the line bounding the south of said section 14 crosses said public road; thence

Boundary..