

L A W S
OF THE
STATE OF MISSISSIPPI

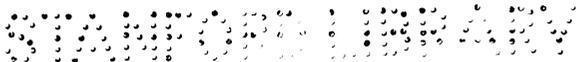
PASSED AT A REGULAR SESSION

OF THE
MISSISSIPPI LEGISLATURE

HELD IN THE CITY OF JACKSON

Commencing January 2, 1900, and Ending March 12, 1900

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1900

CHAPTER 138.

CHAPTER 138.

AN ACT to authorize the mayor and aldermen of the city of Vicksburg to issue bonds to the amount of three hundred and seventy-five thousand dollars, to purchase or construct, equip and maintain a waterworks system, construct and establish a sewerage system, to purchase grounds for, erect and equip a city hall, construct the necessary buildings for a hospital medical college, and for other purposes.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the mayor and aldermen of the city of Vicksburg shall have, and they are hereby authorized and empowered to issue, negotiate and sell the bonds of the said city in any sum not to exceed three hundred and seventy-five thousand dollars (\$375,000), par value, bearing interest not exceeding the sum of 5 per cent. per annum, payable annually. Such bonds may be issued in such form and amount as said mayor and aldermen may prescribe, and shall be payable at the expiration of forty years from the date of the issuance thereof; provided, always, that the said mayor and aldermen may, in their discretion, reserve to the said city the right to call in and retire each year, after the expiration of ten years, not less than five thousand dollars of the said bonds; the said bonds to be so called in and paid to be determined by lot, to be drawn under the direction of said mayor and aldermen. In case the said mayor and aldermen shall desire to retire any of the said bonds in accordance with the said right so reserved, they shall cause the numbers of the bonds to be so retired to be drawn by lot as aforesaid, not less than ninety days before the interest day thereof, and shall publish the numbers of the bonds so drawn once a week for three consecutive weeks, immediately after said drawing, in some newspaper printed and published in said city, and the said bonds so drawn and published shall not draw any interest after the interest day of the year in which the same were drawn and published. And it shall be the duty of the holder of said bonds so drawn to present the same for payment and cancellation on the interest day next immediately following said publication. The days upon which the annual payment of interest shall accrue shall be known as the interest days of said bonds.

SEC. 2. The proceeds derived from the sale of said bonds shall be applied as follows:

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One hundred and fifty thousand dollars, or so much thereof as may be necessary, for the purchase of the present power plant and system of water works, now owned and operated by the Vicksburg Water Works Company, if the said mayor and aldermen deem such purchase to be for the best interest of the said city, otherwise they are hereby authorized and empowered to use and apply the said amount, or so much thereof as may be necessary, for the construction, establishment and maintenance of a new and complete system of water works, to be owned, maintained and operated by the said city of Vicksburg.

How proceeds applied.

Water works.

One hundred and fifty thousand dollars, or so much thereof as may be necessary, for the construction of a system of sewerage in said city, which said system, when constructed, shall be and thereafter continue the property of the said city. The said mayor and aldermen are hereby authorized and empowered to adopt such plans and specifications for the construction of said water works and sewerage system as to them may seem proper, and may enter into contract for the construction or purchase of the same and make payment therefor in accordance with the provisions of this act. But said bonds so provided for the construction of a sewerage system shall not be issued nor sold until said mayor and aldermen shall have first provided for the purchase or establishment of a system of water works as above provided.

Sewerage.

Fifty thousand dollars, or so much thereof as may be necessary, for the purpose of purchasing grounds and erecting and equipping a public building thereon, to be maintained and used as a city hall.

City hall.

Twenty-five thousand dollars, or so much thereof as may be necessary, for the purpose of constructing the necessary buildings for a hospital medical college.

Hospital medical college.

The said mayor and aldermen of said city are hereby authorized and empowered to furnish and sell water to private persons and corporations, and to charge and receive such compensation and toll therefor as the said mayor and aldermen of said city may, from time to time, fix and establish. The said mayor and aldermen of the said city of Vicksburg are hereby further authorized and empowered to require and compel by ordinance, un-

Water tolls.

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Sewerage connections.

der such penalties as to them may seem proper, that within the limits of the said city all residences, stores or other buildings or premises within said limits shall be connected with said sewers so that there shall be conducted from such buildings and premises all excremental matter and personal and household waste other than garbage. And said mayor and aldermen shall have power to fix and charge and to provide for the collection of an annual tax for any and all connections with and for the use of said sewers, and to regulate all connections therewith.

Discretion as to bond issue.

SEC. 3. Should the mayor and aldermen of the city of Vicksburg elect to issue less than the sum of three hundred and seventy-five thousand dollars of the bonds of said city they may, in their discretion, issue an amount sufficient for any one, or more, of the purposes mentioned in the preceding sections, and may by order designate to which of the purposes above mentioned the funds realized from said bonds shall be applied, and the issuance of bonds for any one or more of the purposes aforesaid shall not be held or construed to compel the issuance of bonds for all of said purposes. But this shall not authorize the issuance or sale of any of said bonds for the purpose of the construction of a system of sewerage in said city until said mayor and aldermen shall have first provided for the purchase or establishment of a system of water works as aforesaid. The said mayor and aldermen may, in their discretion, issue said bonds from time to time, as they may deem best, and apply the proceeds as they may direct; provided, however, that the proceeds of the issue of bonds under this act shall not be applied to any purpose except those herein mentioned.

How bonds applied.

SEC. 4. It shall be the duty of the mayor and aldermen of the city of Vicksburg to levy and collect an annual tax upon all the taxable property in said city to be known as the "water works and sewerage tax" sufficient to meet the interest on the bonds issued by said city, and to provide also for a sinking fund to pay said bonds as they mature. And all profits derived from the sale of water and connection with sewers shall likewise be placed with said sinking fund for the payment of said bonds. The said taxes shall be levied and collected as other taxes are levied and collected

Water works and sewerage tax.

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in said city, and no part of the same, nor of any of the profits derived from the water works or sewerage system, shall ever be used for any other purpose than for the payment of the principal and interest of said bonds.

SEC. 5. That said mayor and aldermen shall have full power and authority by ordinance to provide for the election, appointment and compensation of all necessary officers and agents for the proper operation and management of the said water works and sewerage system.

Officers and agents.

SEC. 6. That the mayor and aldermen of the city of Vicksburg are hereby granted the right of eminent domain, in accordance with the provisions of law, for the purpose of acquiring any rights, easements, land or property in said city necessary or convenient for it in the establishment, maintenance and operation of the purposes aforesaid, and it may acquire by purchase, donation or condemnation suitable grounds for the said purposes within the corporate limits of said city, as well as the right-of-way for laying water works mains or pipes and sewer pipes to and from said work and within the corporate limits of said city. And for the construction and equipment of said water works and sewerage system the said city may acquire by purchase, donation or condemnation any suitable grounds within or without said city, the right-of-way to and from said work, and also the right-of-way for laying water pipes within the corporate limits of said city, and from said water works to the said city.

Right of eminent domain granted.

SEC. 7. That the mayor and aldermen of the said city of Vicksburg shall have power and authority to contract the debts and issue the bonds provided for in this act without regard to the other indebtedness of the city. And it is hereby declared to be the true intent and meaning hereof that section three thousand and twenty-six (3026) of the annotated code of 1892 shall not apply to said city or be any restraint in any manner whatsoever upon the mayor and aldermen of said city in the contraction of said debts, and the issuance, negotiation and sale of said bonds for the purpose aforesaid.

Power to contract the debts and issue the bonds.

SEC. 8. Before any bonds shall be issued under the authority of this act the said mayor and aldermen shall give twenty (20) days' notice of an election to be held in the manner provided by

Before any bonds issued.

CHAPTER 138.Public notice re-
quired.If majority vote
against.Conclusive as to
result.

law for the election of municipal officers, by publication in some newspaper printed and published in said city, naming the date thereof, and the amount of bonds to be issued, and the purpose or purposes for which they are to be issued, and if a majority of the votes cast at said election be cast in favor of the issuance of said bonds, then the mayor and aldermen of said city shall be fully authorized and empowered to issue, negotiate and sell the same, as above provided; but in case a majority of said votes at said election shall be cast against the issuance of said bonds, then no bonds shall be issued under the authority herein conferred until their issuance shall have been authorized by a majority of the electors of said city at some election at which the issuance of said bonds shall be submitted to the qualified electors of said city. The order or judgment of the said mayor or aldermen of said city, entered upon the minutes adjudging that a majority of the qualified electors of said city are in favor of the issuance of the bonds provided for in this act shall be, after ten days from the order of judgment, final and conclusive of the result, regularity and legality of the proceedings of such election, and the validity of the bonds issued hereunder.

SEC. 9. That all acts or parts of acts in conflict with this act, or any part thereof, be and the same are hereby repealed, and that this act take effect and be in force from and after its passage.

Approved March 9, 1900.

CHAPTER 139.

AN ACT to authorize the city of Water Valley, Miss., Yalobusha county, to issue sixty thousand (\$60,000) dollars' worth of bonds for the purpose of refunding forty thousand (\$40,000) dollars of 6 per cent bonds of said city, now subject to call, and to pay other indebtedness of said city, evidenced by notes or interest-bearing warrants, and to legalize such warrants.

Outstanding
bonds.

WHEREAS, the city of Water Valley has outstanding the bonds of said city to the amount of forty thousand (40,000) dollars, bearing 6 per cent. interest per annum, payable semi-annually, now soon subject to call, and to be paid at the option of said city during the year 1900, and it is now believed that such bonds can be issued and sold at a lower rate of interest; and

WHEREAS, there are now outstanding interest