

**Commence-  
ment.**

This act to take effect and be in force, from and after the first day of June next.

EDWARD TIFFIN.

*Speaker of the house of representatives.*

DUNCAN M'ARTHUR,

*Speaker of the senate.*

January the 8th, 1810.

CHAPTER VII.

*AN ACT to incorporate a Water Company in the town of Steubenville.*

**Body corpo-  
rate created.**

**Style there-  
of.**

**Empowered  
to hold lands,  
&c.**

**And dispose  
of the same.**

Sect. 1. *Be it enacted by the general assembly of the state of Ohio,* That Bazuuel Wells, Samuel Hunter, David Hoge, John England, Thomas Henderson, John Galbreath, Joseph Beatty, Zacheus Biggs, Sampson S. King, David Larimore, James Larimore, Hans Wilson, Thomas M'Kean Thompson, John C. Bayless, James G. Henning, Jacob Feches, Brice Viers, William R. Dickinson, Thomas Scott, William Hamilton, Obediah Jennings and Benjamin Tappan be, and they are hereby created a body corporate, in deed and in law, by the name, style and title of "The Steubenville Water Company," and by the said name they and their successors shall have and enjoy all the privileges and franchises, incident to a corporation; and shall be, and they are hereby made, able and capable in law, to have, purchase, enjoy, retain to them and their successors, goods, chattels, lands, tenements and hereditaments, of what nature, kind and quality soever; and the same to sell, grant, demise, alien and dispose of (so far as may be necessary and convenient for the said corporation to carry into full and complete effect the object hereinafter provided for, and for no other purpose.

whatever;) and also, to sue and be sued, plead To sue and be sued. and be impleaded, answer and be answered, defend and be defended, in any court or courts of law and chancery, having competent jurisdiction: and also to make, have, and use a common seal, and the same to break, alter and renew at their pleasure; and also to ordain, establish, and put in execution, such by-laws and ordinances, and regulations as shall seem necessary and convenient for the government of the said corporation, not being contrary to the constitution and laws; and generally to do and execute all and singular acts, matters and things necessary and convenient to the design of said corporation. To have and use a common seal. To make & execute by-laws, &c.

Sect. 2. *Be it further enacted,* That to enable the said corporation to supply the town of Steubenville with good and wholesome spring-water, they shall have power and they are hereby authorised, to enter upon, dig, excavate and trench the streets, alleys and public squares in the said town, in suitable and convenient places for erecting, building and maintaining cisterns and reservoirs, and for laying suitable aqueducts, conduits or pipes—*Provided* the same be done with as little detriment, hindrance and obstruction to the public travel and convenience, as the nature of such works will admit. Powers of the said corporation.

Sect. 3. *Be it further enacted,* That on the first Monday of March, in each year, there shall be elected by the said corporation, a president, a clerk, a treasurer, and such other officers, as they shall think necessary to conduct the business of said company, for one year, and until other such officers shall be chosen; such elections to be holden at such place, and conducted in such manner, as may be prescribed by the Officers, when elected. Term of office.

**Proviso.**

by-laws of said company: *Provided, always,* that in case any office in said company shall become vacant, by death, removal or resignation, the president, or in his absence, the clerk shall have power to call a special meeting of said company; at which meeting, such vacancy may be filled.

Members refusing to pay instalments punctually.

5 per cent. per month charged.

Shares how forfeited and disposed of.

**Proviso.**

Sec. 4. *Be it further enacted,* That if any member of said company, after due notice of the time and place appointed for the payment of any proportion or instalment of the monies necessary to be raised by said company for carrying on and completing their works, which shall have been duly assessed by said company, shall refuse or neglect to pay such proportion or instalment at the place appointed, for the space of ten days after the time appointed for the payment thereof, every such member of the said company, shall, in addition to the instalment so called for, pay at the rate of five per centum per month, for every delay of such payment; and if the said instalment, and the said additional penalty, shall remain unpaid, for such space of time as that the accumulated penalty shall become equal to the sums before paid by such member on account of his share, and interest in the said company, such share shall be forfeited to the use of the said company, and may be sold by them to any person or persons, willing to purchase the same, for such price as can be obtained therefor; or in default of payment, by any member of any instalment as aforesaid, for the space of ten days as aforesaid, the said company may, at their election, cause suit to be brought in any court having competent jurisdiction, for the recovery of the same, together with the penalty aforesaid: *Provided, always,* That the sum recovered in any such suit, shall in no case exceed the amount of

such instaiment or instalments, as may be due, together with such accumulated penalty, at the rate aforesaid, as shall be equal to the sums before paid by the member against whom such suit shall be brought.

Sect. 5. *Be it further enacted,* That the clerk of said company shall keep a fair, true and accurate account of all monies expended by said company, in the purchase of land, springs or materials for building cisterns or reservoirs, or for aqueducts, conduits or pipes, for the hire and wages of labourers, and for every thing necessary and proper in and about conducting the water-works of said company; and whenever, and so soon as the said water-works shall be completed, according to such plan, and in such manner as may be agreed on by said company, the president of said company shall give notice thereof, to the town council of Steubenville, which notice shall inform the said town council, that at a certain time and place, to be therein set forth, the clerk of the said company will produce the books of accounts of the said company to two of the associate judges of the court of common pleas, or two justices of the peace of said county, (to be named in such notice) and will proceed to prove by regular vouchers the truth and correctness of such accounts; and any two associate judges, or justices of the peace of said county of Jefferson, are hereby authorised, at the request and expence of the said company, to examine the accounts of the said company, so to be exhibited, in the presence of the said town council, or such of the members of said council, as choose to attend; and on being satisfied that the accounts so exhibited are just and true, the said judges or justices, may enter and record a certificate thereof, under their hands and seals, in

Clerk to keep record of all monies expended by the company,

Notice given to the town council of Steubenville when the work is finished.

Justices or judges to settle accounts of the company & certify the same.

**Certificate of justice to be evidence.**

the books aforesaid, which certificate shall also state the whole amount of the monies, so as aforesaid expended by said company; and the certificate of such judges, or justices, so as aforesaid made and recorded, shall be and remain full and complete evidence of the subject matter thereof, and as such, shall be admitted and received in any court in the state.

**Company to erect conduits, pent-stocks, &c.**

**Sect. 6.** *Be it further enacted,* That it shall be the duty of the said company, to erect at suitable and convenient distances, a sufficient number of conduits or pent-stocks, at the discretion of the said company, to supply and accommodate the inhabitants of said town with water, and from time to time to maintain and keep the said conduits or pent-stocks in good repair: and the said company shall have a right, and they are hereby authorised and empowered, to charge, demand and receive such sum annually of each and every house-

**and keep the same in repair.**

**Each householder to pay his proportion.**

holder, in said town of Steubenville, as may be the just and reasonable proportion of such householder to pay for the use of said water; and on the neglect or refusal of any such householder, using said water, to pay such sum, to such officer of said company, as may be appointed by said company to receive the same, said company may, by action of debt, sue for and recover the same before any court of competent jurisdiction: *Provided, always,*

**Proviso.**

That the aggregate amount of the sums charged to such persons, as may use the said water, shall in no case exceed twelve per centum per annum, on the amount of monies expended by said company, on said water-works, so as aforesaid proven and certified: *And provided, also,*

**Continued.**

That if at any time, any conduit, or pent-stock shall fail to supply a sufficiency of water, for the inhabitants in its vicinity, accustomed to take water therefrom, said company shall not be en-

titled to charge, demand or receive, for such time, any sum or sums for the use of the water, from such inhabitants.

Sec. 7. *Be it further enacted,* That if at any time after the said water-works are completed, the inhabitants of the town of Steubenville shall be desirous of purchasing and acquiring the right, title and interest of, in and to the said water-works of the said company, then; and in that case; the said town, on paying to the said company, the full and just amount expended by said company on said water-works, and the privileges and appurtenances to them belonging, shall be entitled to demand, and have, from said company, a conveyance, in fee simple, of all the rights, interests, and claims of the said company, in and to the said water-works, and the privileges and appurtenances to them belonging: and in case the said company shall refuse to accept such payment, and shall refuse to execute such conveyance, then, and in either case, the right to demand compensation from each and every household in said town, for the use of said water, shall cease and determine.

Inhabitants of the town allowed to purchase the water works if they think proper.

Company to convey the same.

Sec. 8. *Be it further enacted,* That if any person or persons shall, wilfully and maliciously, dig up, cut off, or otherwise injure or destroy, any pipe or pipes, conduit or conduits, laid by the said company for the conveyance of water, or shall wilfully and maliciously obstruct any spring of water owned and used by said company, in and about said water-works, or shall demolish or injure any pent-stock, cistern, or reservoir, erected by said company, such person, so offending, shall, on conviction thereof, before any court of competent jurisdiction, be sentenced to pay a fine not exceeding five hundred dollars, at the discretion of the court, for the use of the county,

Persons injuring water works.

How dealt with.

and shall moreover pay to the use of the said company, their damages.

Commencement.

This act to take effect and be in force, from and after the passage thereof.

EDWARD TIFFIN,

*Speaker of the house of representatives.*

DUNCAN M'ARTHUR,

*Speaker of the senate.*

January 10th, 1810.

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CHAPTER VIII.

*AN ACT to incorporate the New-Lisbon academy.*

President & associates appointed. Body politic, &c.

Sec. 1. *Be it enacted by the general assembly of the state of Ohio,* That Clement Vallandigham, John Stough, Reasin Beall, John Thompson, Thomas Rowland, Alexander Snodgrass, Rudolph Bair, Joseph Stibbs, David Hostetter, John Hindman of Columbiana county, John Sloan of Stark county, and Thomas G. Jones of Trumbull county, together with the president and their associates for the time being, be, and they are hereby declared to be a body politic and corporate in law, by the name of "the president and trustees of the New-Lisbon academy," and as such remain, and have perpetual succession; subject, however, to such alterations as a future legislature may think proper to make.

How named.

To sue and be sued, &c.

Sec. 2. *Be it further enacted,* That the corporation, by the name and style aforesaid, shall hereafter be capable in law to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended in all manner of suits, actions, pleas, complaints, causes, matters and demands, of whatsoever kind or nature they may