

ACTS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF GEORGIA:

Passed in Atlanta, Georgia, at an

ANNUAL SESSION,

BEGINNING JAN. 13, AND ENDING MARCH 18, 1869.

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Act to incorporate the Atlanta Canal and Water Company.

XII.—WATER COMPANIES.

No. Act.

90. Atlanta Canal and Water Company.

No Act.

91. Etowah Canal and Water Works Company.

(No. 90.)

An act to incorporate the Atlanta Canal and Water Company.

SECTION 1. *Be it enacted, &c.,* That Lewis Schofield, W. D. Cook and Lewis Schofield, Jr., and such others as may be associated with them, their successors and assigns, are hereby created a body politic and corporate, under the name and style of the Atlanta Canal and Water Company, with succession for ninety-nine years, and by that name and style they may sue and be sued, plead and be impleaded, defend and be defended in any Court of law in this State or elsewhere; to make, have and use a common seal, renew and alter the same at pleasure, and are hereby invested with all the powers, privileges and immunities which are, or may be, necessary to carry into effect the purposes and objects of this act as herein set forth.

SEC. 2. *Be it further enacted,* That the capital stock of the said Company shall be three hundred thousand dollars, and be divided into shares of one hundred dollars each, and it may be increased from time to time to an amount not exceeding five hundred thousand dollars, and shall be issued and transferred in such manner, and under such conditions as the Directors of the said Company shall, by the by-laws thereof, prescribe.

SEC. 3. *Be it further enacted,* That the corporate powers be vested in and exercised by a Board of Directors, consisting of such number of persons, not less than five nor more than seven, as the stockholders may from time to time direct. The said Directors shall be chosen by the stockholders, at such time and place as may be fixed by the by-laws of said Company, and shall hold their office for one year, and until their successors are elected. They shall elect one of their number President of said Company, and may fill any vacancy in the said Board occasioned by death, resignation or otherwise. The said Board of Directors shall have power to appoint all necessary clerks, secretaries and other officers and agents necessary for the transaction of the business of the Company, to determine their duties and fix their compensation.

SEC. 4. *Be it further enacted,* That the Board of Directors are hereby authorized to make all necessary rules and by-laws that may be deemed necessary or expedient to carry into effect the provisions of this act, for the transfer and assignment of its stock, which is hereby declared personal property and transferable, as shall be provided by the by-laws or ordinances of the said corporation, and shall have the right to prescribe the mode and manner in which the capital stock shall be paid in, and make calls for the same; shall also have the right to enforce the payment thereof, by

Act to incorporate the Atlanta Canal and Water Company.

the forfeiture of the stock upon which the call shall not be paid, or by suit, or by both means, under such rules and regulations as the Board may prescribe.

SEC. 5. *Be it further enacted*, That the corporation shall have the right, and be vested with the authority, to purchase, lease, rent and hold, and dispose of all such property, real, personal and mixed, as they may require, for the purpose of the introduction of a canal and water into the city of Atlanta, and disposing thereof in the said city or elsewhere, and shall have full power, and they are hereby authorized, to take, hold and convey into and through said city the waters of any stream, or other body of water, to such an extent, and in such manner as may be necessary or expedient in carrying into effect the objects of this act, and may take and hold, by purchase or otherwise, any lands or real estate necessary for the purposes of this act, and for laying and maintaining aqueducts for conducting, discharging, disposing of, and distributing water, and for forming a reservoir or reservoirs, and for all buildings, structures, machinery and fixtures, necessary to the most perfect and complete supply of said city with pure water, for all public and private uses, and for preserving said lands and waters for the use of said Company, pure, free from all contamination, nuisances, ditches, drains and sewers, and from the access of persons, animals, or from the erection of any buildings or structure other than those used or employed by said Company for the purposes of this act. They may make and establish and enforce all necessary and proper regulations and by-laws for the preservation of the same; may make and establish such public hydrants, and in such places as may from time to time be deemed proper, and prescribe the purposes for, and the manner in which, they may be used; may change and discontinue the same; may distribute the water throughout the city or town, and, for this purpose, may lay down pipes to any house or building, the owner thereof consenting thereto; may regulate the use of the said water within and without the said city, and establish the prices or rents to be paid therefor; and the said Company may, for the purposes aforesaid, carry out and conduct any aqueduct, or other works by them to be made and constructed, over or under any water-course, street, pike, wall, railroad, highway or other way or public grounds, and may dig up the same for the purpose [of] making, repairing, laying down or maintaining any aqueduct or pipes beneath the surface thereof, and may do any other acts necessary and proper for the purposes of this act.

SEC. 6. *Be it further enacted*, That this act take effect on and after its passage.

SEC. 7. Repeals conflicting laws.

Approved March 17, 1869.