



ACTS

OF THE

GENERAL ASSEMBLY

OF THE

COMMONWEALTH OF KENTUCKY,

PASSED

AT THE SESSION WHICH WAS BEGUN AND HELD IN THE CITY OF FRANKFORT,
ON MONDAY, THE FIFTH DAY OF DECEMBER, 1859, AND ENDED ON
MONDAY, THE FIFTH DAY OF MARCH, 1860.

VOLUME TWO.

PUBLISHED BY AUTHORITY.

FRANKFORT, KY.:
PRINTED AT THE YEOMAN OFFICE.
J. B. MAJOR, STATE PRINTER.
1860.

consolidation of the said roads herein mentioned, they shall have the same rights of erecting toll-gates at the most appropriate points on said road; but there shall not, at any time, be more than two gates on said road, or either of them.

1860.

§ 10. This act shall take effect from its passage.

Approved March 1, 1860.

CHAPTER 981.

AN ACT to incorporate the Newport and Covington Water-works Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That George R. Fearons, James R. Hallam, Dan'l Wolff, Peter Constans, F. A. Boyd, H. D. Helm, Q. M. Caldwell, — Mosely, J. Q. A. Foster, their associates, successors, and assigns, shall be, and they are hereby, created a body politic and corporate, by the name and style of the Newport and Covington Water-works Company, and by that name and style shall be as capable to contract and be contracted with, sue and be sued, plead, answer, and defend, in all courts and elsewhere, as natural persons; and may have and use a common seal, and change, alter, and renew the same at pleasure; and may ordain and put in execution such by-laws, rules, and regulations for the government of said company, and for the sufficient management of its affairs and prudential concerns, as may be deemed expedient, not contrary to the constitution and laws of this State or of the United States.

§ 2. That the business and operations of said company shall consist in furnishing and selling to the corporate authorities and citizens of either, or both, the city of Newport, water for municipal, domestic, or manufacturing, and other purposes, according to such terms as may be agreed upon between said company and the parties so furnished with water, not exceeding the rates at which water is furnished in Cincinnati; the capital stock of said company shall be one hundred and fifty thousand dollars, in shares of fifty dollars each, with liberty to increase the same, from time to time, as the necessities of the company, in extension of its works, may require; the said company may purchase and hold as much land as may be required for its offices, residence of officers, agents, and laborers, and sites for its water-works, engines, reservoirs, and the customary ornamental grounds and gardens attached, and may sell or exchange the same as may be convenient or necessary for the operations and business of said company: *Provided*, That the city of Newport may, at any time after the lapse

1860

of twenty years, purchase the stock of said company at par, if it shall be required by the authorities of said city.

§ 3. That the city council of the city of Newport is hereby empowered to grant unto the said Newport water-works company, all the privileges required to enable said company to carry out its business as aforesaid, and to convey to the said company, during the time of its charter, the exclusive right to lay pipes for conveyance of water through all the streets, lanes, alleys, squares, and public wharves of said city; the company to repair any streets, alleys, &c., in which they may lay said pipes, so far as they may have injured the same, as soon as said pipes are laid.

§ 4. That all the rights of way and other privileges requisite for laying pipes and building water-works are hereby granted and secured unto the said Newport water-works company, in so far as the jurisdiction of the State of Kentucky extends over the beds, margins, and waters of the river Ohio and Licking river, in the county of Campbell.

§ 5. That the corporators individually before named, or a majority of them, shall, by advertisement for one week in one of the newspapers published either in Newport or Covington, or Cincinnati, call a meeting, and superintend the same, of all persons who shall have become subscribers to the capital stock of the said Newport Water-works Company, who shall, by themselves or by their proxies, elect seven directors, owners of at least two shares of the stock, each share represented to have one vote; the said directors to elect one of their own number as president. Said board of president and directors to serve for one year, or until their successors are elected, with power to fill vacancies in their own board, when caused by death, resignation, or otherwise. To the said board of president and directors shall be intrusted the care and management of the property and affairs of the company, under the by-laws which may be made from time to time by the shareholders, at their regular meetings, or by said directors.

§ 6. That if any person or persons shall willfully, by any means whatever, injure or destroy any portion of the water pipes, hydrants, or fixtures, or any part of the pumps, engines, buildings, or reservoirs of said company; or shall willfully let on the water, or open any communication to allow the water to flow, after it has been stopped by the said company, or shall both, throw dirt, or otherwise render impure the water used by said company, such person or persons, upon conviction thereof before the proper authorities, shall be liable to the company for all damages occasioned by such act or acts, and shall furthermore be considered guilty of a misdemeanor, and shall be fined, at the discretion of the jury, in any sum not exceeding one thousand dollars, or be imprisoned, not exceeding one

year; but this section shall not be considered as changing the law in regard to arson, or house burning, or willfully setting fire to any of the buildings of the company.

1860.

§ 7. That the company may borrow money by their issue of bonds, or otherwise, if required, at any time, to extend the works, but shall not have the right to exercise any banking privileges whatsoever.

§ 8. That the said company shall also have power to extend the water pipes and operations outside the corporate limits of the city of Newport, to supply water, and to build works and reservoirs to and in other adjacent localities, on such [terms and conditions] as said company and the legal authorities or representatives of such localities, be they corporate or private, may hereafter arrange and agree between themselves.

§ 9. This act shall take effect from its passage; but the said company shall furnish all water for extinguishing fire in the city of Newport free of charge; and for such purpose the city council shall have power to locate fire-plugs in said city, at such points as they may deem necessary; and the said company shall organize within one year from the passage of this act, and shall in each year thereafter lay at least one mile of main water-pipe, until the necessary main pipe shall be laid.

Approved March 1, 1860.

CHAPTER 982.

AN ACT to incorporate the Owenton and Stamping-Ground Turnpike Road Company.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That a company is hereby formed, under the name and style of the Owenton and Stamping-Ground Turnpike Road Company, for the purpose of making and maintaining an artificial road, on the McAdams plan, from Owenton, in Owen county, along the most practicable route, having due regard to distance, to the Scott county line, in the direction of the Stamping-Ground; and that the capital stock of said company shall not exceed fifty thousand dollars, to be divided into shares of fifty dollars each.

§ 2. Books for the subscription of stock in said company shall be opened on the third Monday in March, 1860, or as soon thereafter as may be convenient, at Owenton, under the direction of A. P. Grover, Absalom Ford, B. Haydon, James Vallandingham, and Elias Crawley, or a majority of them, who are hereby appointed commissioners for that purpose; and said books shall be kept open for twelve months, or until one hundred and twenty shares of the