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OF THE

GENERAL ASSEMBLY

OF THE

143X

COMMONWEALTH OF KENTUCKY,

PASSED AT THE

ADJOURNED SESSION (JANUARY, 1865) WHICH WAS BEGUN AND HELD
IN THE CITY OF FRANKFORT, ON MONDAY, THE
SEVENTH DAY OF DECEMBER, 1863.

v. 1

PUBLISHED BY AUTHORITY.



FRANKFORT, KY.:
PRINTED AT THE STATE PRINTING OFFICE.
GEORGE D. PRENTICE, STATE PRINTER,
1865.

§ 2. The clerk shall be allowed for his services a fee of twenty-five cents for each deed or instrument thus completed by him, to be paid by the grantee.

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His fee.

Approved January 18, 1865.

CHAPTER 616.

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 John P. Jackson, John A. Williamson, William H. Lape, Jacob Hawthorne, Amos Shinkle, Jesse Wilcox, and William Ernst, and 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.

Corporators' names, and corporate powers.

§ 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 cities of Newport and Covington, water for municipal, domestic, or manufacturing and other purposes, according to such terms as may be agreed upon between said company and the parties furnished with water, not exceeding the rates at which water is furnished in Cincinnati, Ohio. The capital stock of said company shall be seven hundred thousand dollars, in shares of fifty dollars each, with liberty to increase the same, from time to time, by a vote of the majority in interest of the stockholders, as the necessities of the company in the 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.

Business of corporation.

Capital stock.

§ 3. That the city councils of the cities of Newport and Covington are each hereby empowered to grant, within their respective jurisdictions, unto the said Newport and Covington Water-works Company, all the privileges and

Cities of Newport and Covington may grant privileges to corporation.

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quired to enable said company to carry out its business as aforesaid, and to convey and carry to the said company the exclusive or other right to lay pipes for conveyance of water through all the streets, lanes, alleys, squares, and public wharves of said cities; the company to repair any streets, alleys, &c., in which they may lay said pipes, so far as they may have injured the same, from time to time.

Rights of way granted.

§ 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 and Covington 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 or bordering upon the counties of Campbell and Kenton.

Who to receive subscriptions of stock.

§ 5. That the corporators individually before named, or a majority of them, shall have power to solicit and receive subscriptions to the capital stock of said company, and when the same shall have been received to the extent of not less than one hundred thousand dollars, they shall by advertisement, for not less than ten days, in at least one of the newspapers published either in Newport, Covington, or Cincinnati, call a meeting and superintend the same of said subscribing stockholders, who shall thereupon, by themselves or by their proxies, elect seven directors, all of whom shall be stockholders in said company; and in said election, and at all other elections, each share of stock represented shall be entitled to one vote. The said directors shall thereupon elect by ballot one of their own members as president; and the said president and board of directors shall serve for one year, or until their successors are elected, and shall have power to fill vacancies in their own board when caused by death, resignation, or otherwise. To the said board of directors and the president 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 stockholders at their regular meetings, or by said directors.

Meeting of stockholders to be called.

Officers to be elected.

§ 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 to flow after it has been stopped by the said company, or shall throw dirt into or otherwise render impure the water used or furnished 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 ex-

Penalty for injury to works.

ceeding one year. But this section shall in nowise be considered as changing the law in relation to arson or house-burning, or willfully setting fire to any of the buildings of the company.

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

May borrow money.

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

May extend works outside city limits.

§ 9. The said company shall furnish all water needed for extinguishing fires in the cities aforesaid free of cost or charge; and for the purpose of receiving the same the city councils in the said respective cities shall have power to locate fire-plugs in said cities at such points as may by them be deemed necessary.

To furnish water for extinguishing fire.

§ 10. 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.

When company to organize.

§ 11. This act shall take effect and be in force from its passage.

Approved January 18, 1865.

CHAPTER 617.

AN ACT empowering the Nicholas county court to levy and collect a local bounty fund for volunteers in the United States Army.

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

That the levy court of the county of Nicholas shall have power and authority to levy and cause to be collected annually, upon the taxable property of said county assessed for State revenue purposes, such sum of money as the said court in its discretion may deem proper, for the purpose of raising a local bounty fund for volunteers that have enlisted, or may hereafter enlist, in the Army of the United States.

§ 2. The sheriff or other officer charged with the collection of the State revenue in said county, shall collect and account for the taxes levied by said court under the provisions of this act, at the same time and in the same manner that he is authorized to collect the public revenue of