

ACTS OF A LOCAL NATURE,

PASSED BY THE

FORTY - NINTH GENERAL ASSEMBLY

OF THE

STATE OF OHIO,

BEGUN AND HELD IN THE CITY OF COLUMBUS,

DECEMBER 2, 1850,

AND IN THE FORTY-NINTH YEAR OF SAID STATE.

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OHIO STATE

UNIVERSITY

COLUMBUS:

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## AN ACT

To incorporate the Chillicothe Water Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That N. W. Thatcher, Wm. McKell, Jacob Bonser, William Fullerton, Wm. B. Franklin, and their associates, be, and they are hereby created a body corporate and politic, with perpetual succession, by the name and style of the "Chillicothe Water company," and by that name, they, and their successors, shall be capable in law of contracting and being contracted with, suing and being sued, defending and being defended, in all courts and places, and in all matters whatsoever, with full power to acquire, hold and enjoy, all such real and personal estate as may be necessary and proper for the construction, extension and usefulness of the works of the said company, and for the management and good government of the same; and they may have a common seal, and the same may alter, break or renew at pleasure.

SEC. 2. The corporation here created, shall have full power and authority to supply the city of Chillicothe, and the citizens thereof, with water, and to conduct the same through the streets, alleys, and highways, of said city, to any lots, buildings, manufactories, public places, and houses therein contained; and to erect necessary works in or near said city, and apparatus for conducting water in the streets and avenues of said city; provided, that said corporation, shall so conduct their works, that no permanent injury or damage shall be done to any street, alley, or highway of said city, and before digging or commencing operations, the said corporation, hereby created, shall first give notice to, and obtain consent of the city council of said city for that purpose. The real estate which this corporation is entitled to hold, shall not exceed in value thirty thousand dollars.

SEC. 3. The capital stock of said corporation may be sixty thousand dollars, to be divided into shares of twenty-five dollars each, to be subscribed for, and paid at such times and in such proportions as shall be prescribed by the by-laws and rules of said company, each share entitling the holder thereof, to one vote.

SEC. 4. The persons named in the first section of this act, or any of them, may at any time, open books, for subscription to the capital stock of the company, by giving five days notice of the same, in some newspaper printed in the said city of Chillicothe, and when forty shares shall be subscribed, by responsible persons, a meeting of said stockholders shall be called by those authorized to receive subscriptions, by notice given for five days in some newspaper published as aforesaid, at which meeting there shall be elected by ballot, five directors, and annually thereafter there shall be an election of directors, whose term of office shall continue until their successors shall be elected, and such election to be held at such place and at such times as the by-laws of said company may determine; and in case of any vacancy in said board of directors, occasioned by the death or resignation of any member thereof, the directors remaining may fill such vacancy, and the city of Chillicothe may, in its corporate capacity, subscribe for an amount of the stock in said company, any sum not exceeding twenty thousand dollars.

**Sec. 5.** The directors thus elected, shall have power to make such by-laws and rules for their own government, and for regulating the concerns of the company, as they shall think necessary and proper, respecting the management and disposition of the stock, property, and estate of said company; provided the same shall not be inconsistent with the constitution and laws of the United States, or of the State of Ohio; said company shall have the privilege of supplying the said city of Chillicothe, and its inhabitants, with water, for the term of thirty years. The duties of the agents and artificers employed by said company, are to be under the directions and supervision of the directors of the same.

**Sec. 6.** The legislature shall have the power to alter or amend this charter, after thirty years from and after its passage, and the stock and other property belonging to said company, shall be placed on the duplicate, and taxed for all purposes as other property in the city of Chillicothe, and county of Ross, is now, or may hereafter be taxed.

**Sec. 7.** Any person or persons who may maliciously or intentionally, disturb, injure or molest any pipe or other property, belonging to said company, or obstruct the free passage of the water through the pipes, or use the water of the said company without its consent, shall, on conviction thereof, be fined in any sum not less than five nor more than one hundred dollars, which amount may be recovered before any court having jurisdiction thereof, within this State.

JOHN F. MORSE,

*Speaker of the House of Representatives.*

CHARLES C. CONVERS,

*Speaker of the Senate.*

March 5, 1851.

#### AN ACT

To amend an act to incorporate the Portsmouth Dry Dock and Steam Boat Basin Company, passed March 9, 1839, and all acts amendatory thereto.

**Sec. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the par value of all the shares created by any and all previous acts of this General Assembly, in the capital stock of the Portsmouth Dry Dock and Steamboat Basin Company, shall be reduced to one hundred dollars each, and so as to make the whole number of shares in the present capital stock of said company, thirty thousand.

JOHN F. MORSE,

*Speaker of the House of Representatives.*

CHARLES C. CONVERS,

*Speaker of the Senate.*

March 7, 1851.