

ACTS

PASSED AT

THE SECOND SESSION

OF THE

SEVENTH GENERAL ASSEMBLY,

OF THE

STATE OF TENNESSEE,

BEGUN AND HELD

AT KNOXVILLE,

ON MONDAY THE THIRD OF APRIL,

One Thousand Eight Hundred & Nine.

KNOXVILLE:

PRINTED BY

JOHN B. HOOD,

PRINTED TO THE STATE.

1809.

able property by him or her not returned as above directed, *Provided*, that no fine, other than the double tax above mentioned, shall be incurred by any person failing to return their taxable property as above directed.

JOHN TIPTON,
Speaker of the House of Representatives.
JOSEPH M. MINN,
Speaker of the Senate.

April 20, 1809.

CHAP. V.

AN ACT to incorporate a Water Company in the Town of Knoxville, and for other purposes.

Preamble.

WHEREAS, John Crozier, Josiah Nichol, James Park and William Park, Richard Bearden, George W. Campbell, Thomas Humes, Nathaniel Cowan, John Williams, Pleasant M. Miller, James Dardis and Thomas Dardis, the heirs of Francis Fleshart and Edwin Bothe, John N. Gamble, James Trimble, Edward Scott, James Charter, Robert Craighead, Charles McClung, and Patrick Campbell, have at considerable expence procured water to be brought in pipes into the town of Knoxville: And whereas, in order to preserve the said pipes, and to secure to the persons aforesaid, the benefit which they ought to derive from their undertaking, it is expedient that they should be incorporated and vested with the necessary powers for regulating the manner in which said water shall be used, and preserving the pipes by which the same is conducted, from the injuries of mischievous persons: Therefore,

Water company incorporated.

SECTION 1. **B**E it enacted by the General Assembly of the State of Tennessee; That the said John Crozier, Josiah Nichol, James Park and William Park, Richard Bearden, George W. Campbell, Thomas Humes, Nathaniel Cowan, John Williams, Pleasant M. Miller, James Dardis and Thomas Dardis, the heirs of Francis Fleshart, & Edwin Bothe, John N. Gamble James Trimble, Edward Scott, James Charter Robert Craighead, Charles McClung, and Patrick Campbell, and their heirs and assigns, be and they are hereby constituted a body politic and corporate, by the name of the Knoxville water company, and by that name may sue and be sued, in all courts of law or equity, in this state, and may take and hold to themselves, and their heirs or assigns, any lands or tenements, over which the said water pass, or any right, or interest therein, which hath been, or may be conveyed to them.

Proprietors to be members.

Sec. 2 **B**e it enacted; That whenever the interest of any one of the persons above named, in the water aforesaid, shall cease and determine, he shall no longer continue a mem-

ber of said company ; but the person or persons in whose such interest shall at any time vest, shall be a member or members in his stead, and shall be vested with all the powers hereby vested in a member of said company.

Sec. 3. *Be it enacted,* That said company shall have power to appoint such officers as they may deem necessary, and to prescribe such rules and regulations for the government of said company, as they shall deem proper, and to enforce the observance of the same, under such penalties as they shall judge necessary : *Provided,* that the said company shall not be authorized to punish any disobedience of their rules and regulations, but by a fine not exceeding five dollars, which may be sued for and recovered in the name of said company before any justice in this state, who is not a member of said company. Their powers

Sec. 4. *Be it enacted,* That if any person shall wilfully or maliciously injure or destroy any of said pipes, or remove the earth from above them, such person or persons shall, on conviction before the court of Knox county, be fined not exceeding fifty dollars, and imprisoned not exceeding three months; and if such wilful and malicious injury be done by any slave, such slave, on conviction thereof, before any justice of the peace for Knox county, shall receive corporeal punishment by whipping, at the discretion of such justice of the peace, not exceeding thirty-nine lashes. Penalty for injuring pipes.

Sec. 5. *Be it enacted,* That if any person or persons shall wilfully and maliciously injure or destroy any pipes erected for the purpose of conveying the water to any place in this state, or remove the earth so as to injure the pipes, he, she or they, so offending, shall be liable to indictment for a misdemeanor, in any of the courts in this state ; and if a negro, shall be liable to be whipped by order of a justice of the peace in any number not exceeding thirty nine lashes. Penalty for injuring pipes, of any other works

JOHN TIPTON,

Speaker of the House of Representatives.

JOSEPH M. MINN,

Speaker of the Senate.

April 22, 1809.

CHAP. VI.

AN ACT to authorize Sheriffs to take bail in certain cases.

SECTION I. **B**E it enacted by the General Assembly of the State of Tennessee, That from and after the passage, of this act, in all cases where a defendant in any civil suit may have given bail for his appearance, and the bail during the recess of court, should think proper to deliver the body of such defendant, to the sheriff, in discharge of him or themselves, then the sheriff, upon the delivery of such defendant, is hereby authorized to take bail from said defen- Sheriffs may take bail in civil cases, in certain cases.