

**A C T S**

**OF THE**

**STATE OF TENNESSEE,**

**PASSED AT THE SECOND SESSION OF**

**THE THIRTY-FOURTH GENERAL ASSEMBLY,**

**FOR THE YEARS 1865-66.**

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**PUBLISHED BY AUTHORITY.**

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**NASHVILLE, TENN.:**

**S. C. MERCER,.....PRINTER TO THE STATE.**

**1866.**

## CHAPTER CLVII.

AN ACT to Incorporate the East Tennessee Manufacturing Company.

SECTION. 1. *Be it enacted, by the General Assembly of the State of Tennessee,* That Josiah Curtis, A. A. Talmage, A. A. Kyle, P. T. Turnley, R. K. Byrd and G. W. Ross, and their associates, successors and assigns, be, and are hereby constituted a body politic and corporate, by the name and style of the "East Tennessee Manufacturing Company," and by that name shall have corporate succession for ninety-nine years, and shall be competent to sue and be sued, in any courts of law and equity whatever, to have and use a common seal, to trade, make and alter the same at pleasure, to establish and change any by-laws for the government of said Company, to purchase, hold and dispose of such real estate, lease-hold, water privilege, steam power, machinery, patent right and personal property, as may be necessary for the legitimate transaction of their business; to dig, mine, smelt, forge, roll, refine, work, manufacture and vend, any iron or other mineral substance, and any metallic or other products thereof; to cut, hew, saw, plane, turn or otherwise fabricate, manufacture and vend, any wood, timber or lumber, or other substance useful in the manufacture of building material, farming utensils, artizan tools, household furniture, wearing apparel, or other implements and fabrications useful to persons in civilized communities; to issue such number of shares of the stock of said Company, as may be ordered by a vote of the Company; to determine the par value of shares; to have the right to pay in shares of the stock of the Company, for such real estate, or interests therein; or lease real estate; or for such patent right or interest therein; or such machinery as may be deemed necessary to purchase or lease, for the operations of the works of said Company; and generally to have, enjoy and exercise all the rights and privileges, incident to corporations, except the right to issue notes.

Powers, privileges, etc.

SEC. 2. *Be it further enacted,* That whenever the East Tennessee Manufacturing Company shall become possessed of real estate, or machinery, or other property in this State, lease hold, patent rights or interest therein or elsewhere; then for each of such interest, or for each branch of manufacture, said Company may, by resolution of its Directors, designate any number of persons, not less than three, to constitute a new, distinct and separate organization, by such name as said Directors shall, by such resolutions, select to distinguish the same; and may convey to such new corporation, any distinct portion of the

Separate interest

rights or interest in real estate, branch of manufactory, patent rights, machinery or other property; and the persons, so designated, may thereupon organize under, and enjoy all the rights and privileges, named and granted in the first section of this Act; and shall thereupon become and be a body corporate, with like corporate rights, powers and privileges, as are in and by the first section of this Act, granted to the East Tennessee Manufacturing Company.

**Knoxville water works co.** SEC. 3. *Be it further enacted*, That a Company, to be entitled the "Knoxville Water Works Company," shall be, and is hereby established, with a capital of fifty thousand dollars, with the right to increase said capital to two hundred thousand dollars, if found necessary and expedient; the stock of the said Company, to be divided into shares of fifty dollars each, and to be paid in as the Directors may demand.

**Powers** SEC. 4. *Be it further enacted*, That the subscribers for said stock, their successors and assigns, are hereby created a body politic and corporate, by the name and style of the "Knoxville Water Works Company," and in and by said name, shall have power to contract and be contracted with; to sue and be sued; to have a common seal; to borrow money upon the bonds of the Company, for such amounts, conditions, times and rates of interest, as may be agreed upon between contracting parties; shall have authority to elect all necessary officers; and to establish by-laws, rules and regulations, for the management of the affairs of the Company.

**Object** SEC. 5. *Be it further enacted*, That the object of the said Company, shall be to establish and construct water works, in the City of Knoxville, for the purpose of furnishing the population thereof with water, by means of Artesian wells, or otherwise, and they may purchase and hold as much real estate as may be necessary.

**Lay pipes in the streets, etc** SEC. 6. *Be it further enacted*, That to enable this Company to construct such works, they are hereby authorized and empowered to lay down pipes, aqueducts or conductors, and all other necessary apparatus for that purpose, through all or any of the streets, lanes or alleys of the city of Knoxville, in such manner as to cause the least private inconvenience to the citizens, and to take up the pavement or sidewalk; *provided*, the same is repaired with the least possible delay.

**Misdemeanor** SEC. 7. *Be it further enacted*, That if any person shall injure or destroy any part of the works, fixtures or other property, shall be liable for all damages sustained by said proceedings, and also a fine, not exceeding five hundred dollars, upon conviction; the person or persons committing such acts or offense, being deemed guilty of misdemeanor, and punishable as in other cases of misdemeanor.

SEC. 8. *Be it further enacted*, That O. P. Temple, John Baxter, Perez Dickinson, Jas. H. Cowan, John Williams, John Branner and T. W. Yardly, or any of them, shall be commissioned to open books for subscription of stock in said Company, at such times and places as a majority may elect. Commissioners

SEC. 8. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,

*Speaker of the House of Representatives.*

JOSHUA B. FRIERSON,

*Speaker of the Senate.*

Passed May 26, 1866.

## CHAPTER CLVIII.

AN ACT to amend the Charter of the Holston Presbytery, and for other purposes.

WHEREAS, The majority of the present members of Holston Presbytery constituted a body politic and corporate, by an act of the Legislature of Tennessee, 15th of March, 1858, are disloyal to the Government of the United States, therefore

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Francis A McCorkle, Daniel Rogan, Rufus P. Wells, Samuel Sawyers, John W. Elliott, and Nathan Backman, Ministers of Holston Presbytery, and their successors in office, elected according to the Constitution and forms of the Presbyterian Church in the United States of America; and the representatives of the following churches, to-wit: Kingsport, Timber Ridge, Greeneville, Jonesborough, New Bethel, Elizabethton, Liberty Hill, Rogersville, and such other churches as may be received by said Presbytery, be entitled to all the rights, immunities and privileges of said incorporation, according to chapter 132, passed 15th March, 1858. Incorporators and Churches

SEC. 2. *Be it further enacted*, That the Memphis City Schools shall hereafter be placed under the exclusive management and control of a Board of Visitors, consisting of two members from each Ward in said city, to be elected as hereinafter directed; and that said Board are Memphis City Schools.