

# L A W S 2411 - 1

OF THE

## GENERAL ASSEMBLY

OF THE

# STATE OF PENNSYLVANIA,

PASSED AT THE SESSION OF 1861,

IN THE

EIGHTY-FIFTH YEAR OF INDEPENDENCE.

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WITH AN APPENDIX.

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HARRISBURG:

A. BOYD HAMILTON, STATE PRINTER.

1861.

- ville, in Wyoming county, to any point near the house of Henry Leach, in Abington, Luzerne county, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, excepting as hereinafter provided.
- Subject to.**
- Stock.** SECTION 2. That the stock of said company shall consist of five hundred shares at twenty-five dollars per share: *Provided*, That said company may from time to time, by a vote of the stockholders called for that purpose, increase their capital stock so much as in their opinion may be deemed necessary to complete the road and carry out the true intent and meaning of this act.
- May be increased**
- When road to be commenced and when completed.** SECTION 3. That if said company shall not commence the construction of said road within three years from the passage of this act, and complete five miles of the same within seven years, and the remaining part within seven years from the date thereof, this act shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of the company.
- When tolls may be collected.** SECTION 4. That whenever said company shall have finished one mile or more of said road, they shall have power to erect gates and collect tolls, agreeably to the conditions and restrictions of sections twelve and thirteen of the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, except so far as relates to tolls which discriminate in favor of wheels of a greater width than four inches; and the company hereby incorporated shall have power to regulate their tolls, within the limits prescribed by said act and the several supplements thereto, without reference to width of wheels.
- Regulation of.**

ELISHA W. DAVIS,

*Speaker of the House of Representatives.*

JOHN P. PENNEY,

*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 465.

### A FURTHER SUPPLEMENT

To the act incorporating the Allentown Water Company, and its several supplements.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the owner or owners of any real estate, situated within the borough of Allentown, at or upon which the water of the said company shall be used for any purpose whatsoever, shall hereafter be personally liable to the said company, for the annual rents for the use thereof; and in case the said owner or owners shall fail or refuse to pay the same in a reasonable time after the same shall have been demanded, it shall be lawful for the said company to recover the said water rent, by a personal action against the said owner or owners, in the same manner as debts of like amount are now by law recoverable; and in addition thereto to file their claims in the prothonotary's office of Lehigh county; from the time of which filing they shall be and remain a lien upon the real estate against which the said claims may be filed, in the same manner as the claims of mechanics and materialmen may now by law become liens; and it shall furthermore be lawful for the said company to enforce the collection of the said liens, in the same manner as the liens of mechanics and materialmen are now by law enforced.

ELISHA W. DAVIS,  
*Speaker of the House of Representatives.*

JOHN P. PENNEY,  
*Speaker of the Senate pro tem.*

APPROVED—The first day of May, Anno Domini one thousand eight hundred and sixty-one.

A. G. CURTIN.

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No. 466.

## A SUPPLEMENT

To an act to Consolidate and Amend the Road Laws of Tioga, Potter, M'Kean and Elk counties, passed April fourteenth, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the additional, or increased tax, authorized by the fourth section of the act of the fourteenth of April, A. D. eighteen hundred and fifty-five, entitled "An Act to consolidate and amend the road laws of the counties of Tioga, Potter, M'Kean and Elk," shall, when collected, be applied, first to the payment of judgments against the townships, in the order of their priority as to date, and next to the payment of orders drawn by the supervisors, in the order of their presentment to the township treasurer; and the provision in the seventh section of said act giving preference to the claims of persons upon whose applica-*