

Pennsylvania. Laws, statutes, etc.

# LAWS

OF THE

## GENERAL ASSEMBLY

OF THE

# STATE OF PENNSYLVANIA,

PASSED AT THE

## SESSION OF 1866,

In the Ninetieth Year of Independence.

### WITH AN APPENDIX.

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By Authority.

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HARRISBURG:  
SINGERLY & MYERS, STATE PRINTERS.  
1866.

No. 1059.

**An Act**

To incorporate the Ashland Gas and Water Company.

**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 Michael Horan, George D. Haughawout, Charles Conner, William H. Gallaher, Edward Connelly and Lewis L. Bevan, their successors, associates and assigns, are hereby created a body politic and corporate, by the name, style and title of the Ashland Gas and Water Company, and by that name shall have perpetual succession, and shall, in law, be capable of suing and being sued, pleading and being impleaded, in courts of law and equity, and of contracting and being contracted with, relative to the business of the corporation, and may have a common seal, and the same alter and renew at pleasure, and may have power to purchase and hold, in fee simple, such real estate as may be necessary for carrying on the business of the said corporation.

**SECTION 2.** The said company shall have power to provide, erect and maintain all works and machinery, engine and apparatus, necessary and proper for making, raising and introducing, into the borough of Ashland, in the county Schuylkill, a sufficient supply of gas and pure water; and for that purpose shall have the right to use any springs, or streams of water, embraced within the township of Butler, in the said county of Schuylkill, and the township of Conyngham, in the county of Columbia, adjoining the said county of Schuylkill, or elsewhere, if necessary; and for that purpose may provide, erect and maintain all proper buildings, cisterns and reservoirs, for the reception of gas and water, to be introduced; and for this purpose, they are authorized and empowered, by themselves, their agents, engineers and workmen, and with their tools, wagons, carts and horses, to enter upon such lands and enclosures, streets, lanes and alleys, roads, highways and bridges, as it may be necessary to occupy, for the purposes aforesaid, or to obtain materials for the construction of said works, and to occupy, ditch and lay pipes through the same, and the same to repair, from time to time; and if any injury be done to private property, the said company shall make compensation therefor, or give security for such compensation, according to the provisions of the eleventh section of an act, entitled "An Act regulating railroads," approved February nineteenth, one thousand eight hundred and forty-nine.

**SECTION 3.** The capital stock of said company shall be one hundred thousand dollars, divided into shares of fifty dollars each; and the said company may issue bonds, to the amount of one hundred thousand dollars, bearing interest not exceed-

Corporators.

Privileges.

Seal.

Real estate.

To erect works, &amp;c.

Use of springs authorized.

Buildings.

Authorized to enter upon lands, &amp;c.

Compensation to owners.

Capital.

Issue of bonds authorized.

- ing eight per centum per annum, and secure the same by mortgage of their real estate, franchises and privileges.
- Directors.** SECTION 4. The stockholders shall, annually, at such day and place as the by-laws may designate, elect five directors to manage the affairs of the company, who shall serve for one year, and until their successors are elected; and the persons above named, may be the first board of directors, and they, and each succeeding board, may elect a president from among their number, and also appoint such other officers and agents as the interests of the company may require; and in all elections, each share of stock shall be entitled to one vote.
- Corporators to be first board of.**
- Unpaid subscriptions, relative to.** SECTION 5. If any subscriber to the stock of this corporation shall refuse, or neglect, to pay any instalment, called for by the said company, at the time and place appointed, and the same shall remain unpaid for thirty days, he shall, in addition to the instalment called in, pay interest thereon for such delay, at the rate of five per centum per month; and the company may sue for and recover the said instalment and interest, or forfeit the amount already paid by said subscriber, as may be best for said company.
- Forfeiture.**
- Regulations, prices, &c.** SECTION 6. The said company shall have the right to fix and establish all necessary rules and regulations, as to the use of the said gas and water, furnished as aforesaid, and to fix the rates and prices to be paid by the citizens and persons using the same, and to collect the same as debts are now collected by the laws of this commonwealth, and to declare dividends of the net profits of such company, as may be provided by the by-laws: *Provided*, That such part of said work as may be deemed advisable by said company, shall be done, from time to time, and the company shall have as full power over the work completed, as though they had finished the whole work contemplated by this act.
- Proviso.**

WM. D. BROWN,

Speaker *pro tem.* of the House of Representatives.

WM. J. TURRELL,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and sixty-five.

A. G. CURTIN.