

LAWS

OF THE

GENERAL ASSEMBLY

OF THE

COMMONWEALTH OF PENNSYLVANIA,

PASSED AT THE SESSION OF 1848.

IN THE

SEVENTY-SECOND YEAR OF INDEPENDENCE.

WITH

AN APPENDIX.



PUBLISHED BY AUTHORITY.

HARRISBURG, PA.:

J. M. G. LESCURE, PRINTER TO THE STATE.

1848.

for one year ; and the said electors shall designate on their tickets the term of each person voted for ; annually thereafter two persons shall be elected to fill the place of those whose term may be about to expire, and the persons so elected shall hold their office for the term of three years.

SECTION 5. That so much of the act, approved the eighth day of April, one thousand eight hundred and thirty-three, as is hereby altered, amended or supplied, be and the same is hereby repealed ; and that so much of said act as is not hereby altered, amended or supplied, be and continue in full force and operation. Part of former act repealed.

SECTION 6. That the overseers of the poor in the township of Mahoning, in the county of Columbia, are hereby authorized to purchase and receive a title for a farm for the use of said township, and to erect suitable buildings thereon, for the purpose of accommodating the paupers of the said township. Overseers of the poor of Mahoning township, Columbia county, may purchase real estate and erect a poor house.

SECTION 7. That the said overseers shall have authority to borrow, for the said purpose, any amount of money not exceeding five thousand dollars, and to mortgage the said farm for the re-payment of the said loan, and to increase the poor tax of the said township, so as to enable them to effect the object of the provisions of the first section of this act. May borrow money.

SECTION 8. That if the town of Danville, in the said township, shall be hereafter erected into a borough, then and thereafter the said farm, and the buildings thereon erected, with the appurtenances, shall be the joint property of the said borough and township, and shall be managed by the overseers of the poor of the said borough and township, and supported by the tax raised from both, in the same manner as if no division had taken place. Real estate to become joint property with the town of Danville, if incorporated into a borough.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

WM. WILLIAMSON,
Speaker of the Senate.

APPROVED—The eighth day of April, one thousand eight hundred and forty-eight.

FRS. R. SHUNK.

No. 298.

AN ACT

Authorizing the governor to incorporate the Centreville water company, of Buckingham.

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 Samuel Armstrong, George M. Kohl, Isaiah B. Mathews, Doctor Charles Mathews, James Burson, Michael Vanhart, Joseph O. Ely and Charles P. Large, or any four of them, are hereby appointed com- Commissioners.

Form of subscription.

missioners, to do and perform all matters and things hereinafter mentioned; that is to say, they shall, on or before the first day of June next, procure a book and enter therein as follows: "We, the subscribers, promise to pay to the president and managers of the Centreville water company of Buckingham, the sum of ten dollars for every share of stock set opposite to our respective names, in such manner and proportions, and at such time or times as shall be determined by the said company, in pursuance of an act of the general assembly, entitled 'An Act authorizing the governor to incorporate the Centreville water company of Buckingham.' Witness our hands, the _____ day of _____, in the year of our Lord one thousand eight hundred and forty-

Open books.

_____;" and shall thereupon give notice in one newspaper, in the county of Bucks, for the space of three weeks, when and where said book shall be opened for the subscriptions of stock; at which time and place one or more of the said commissioners shall attend, and shall permit all persons of lawful age, either in their own names or in the names of other persons, when they shall appear to be duly authorized, to subscribe for any number of shares in the said stock; and the said book shall be kept open for such time as the said commissioners in said notice shall direct, or until two hundred shares shall have been subscribed; and the said commissioners, or officers of the company, after the same shall have been organized, may at any time afterwards open the book for the subscription of shares, till the whole number of shares, or amount of two thousand dollars, shall be subscribed.

Governor to issue letters patent.

SECTION 2. That when fifty shares of the said stock shall have been subscribed, the commissioners shall certify, under their hands and seals, the names of the subscribers, and the number of shares subscribed by each, to the governor of this commonwealth; and thereupon it shall be lawful for the governor, under his hand and the seal of the state, to create and erect the subscribers, and also those who shall afterwards subscribe, and their assigns, into one body politic and corporate, in deed and in law, by the name, style and title of the Centreville water company of Buckingham; by which name the said subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation; and shall be capable of taking and holding the capital stock, and the increase and profits thereof, and of enlarging the same by new subscriptions, if it shall be found necessary to fulfil the intent of this act, and of purchasing, taking and holding to them, their successors and assigns, and of selling and transferring in fee simple, or for any less estate, such lands, tenements, hereditaments and estates, real or personal, as shall be necessary in the prosecution of their works; and of suing and being sued, and of doing any matter and thing which a corporation or body politic may lawfully do.

Style.

Privileges.

Organization.

Elect managers.

Votes.

Appointment of officers.

SECTION 3. That any three or more of the said commissioners shall, as soon as conveniently may be after the letters patent are obtained, give at least ten days' notice in one or more newspapers published in the county of Bucks, of the time and place of holding an election for officers of the company; at which time the subscribers shall meet and choose, by ballot, five managers, who shall be stockholders, to conduct the affairs of the company until the first Monday of March then next ensuing; and in all elections, each stockholder shall be entitled to one vote for every share of stock bona fide held by him not exceeding five, but no stockholder shall be entitled to more than five votes at any election; and the said managers shall appoint one of their number president of their board, who shall sign all contracts and certificates of stock; the president and managers shall have power to appoint a treasurer, and

other officers and agents as may be necessary; and the elections of officers shall be held yearly, on the first Monday of March, at such place as may be appointed by the managers, of which at least ten days' notice shall be given, by at least five handbills affixed in the most public places in the township of Buckingham, at least two of which shall be put up in the said village of Centreville; and when vacancies happen, the managers shall supply them from among the stockholders until the next annual election: *Provided*, That no stockholder not resident within the township of Buckingham, shall be capable of serving as manager or treasurer of the said company: *And provided*, That no misnomer or failure of election of officers on the day appointed, shall discontinue or dissolve the said corporation, but the managers and officers shall continue in office until a new election, which shall be made at such time and place, and after such notice as the board of managers may prescribe. Proviso.

SECTION 4. That the president and managers, or any three of them, shall have power to adopt such by-laws, rules and regulations as may be deemed expedient for the well governing of the affairs of the company; and shall also have power to call special meetings of the stockholders, whenever any circumstances occur which may render it necessary to consult them: *Provided*, That such by-laws, rules and regulations shall in no wise contravene the constitution and laws of this commonwealth. Powers of board.

SECTION 5. That the president and managers shall procure a common seal, and the certificates of stock, and other official acts, shall be authenticated by affixing the same; and the president and managers shall procure certificates for all the shares of the stock of the said company, and shall deliver one such certificate, signed by the president, counter-signed by the treasurer and sealed as aforesaid, unto each person for every share held by him or her, as soon as each shall be paid; and any such certificate shall be transferable in person, or by attorney duly authorized, in the presence of one or two credible witnesses; and the assignee holding any certificate, having first caused the assignment to be entered in a book of the company to be kept for that purpose, shall be a member of the corporation, and possess and enjoy all the rights, privileges, benefits and emoluments to which he would have been entitled if he had been an original subscriber. Seal.
Certificates of stock.

SECTION 6. That the president and managers shall meet at such times and places as shall be directed by their by-laws; and when met, three members shall be a quorum, and in the absence of the president, a chairman may be chosen of the number met; and all their transactions, as well as every matter and thing relating to the affairs of the corporation, shall be entered in a book or books to be kept for such purposes; and a quorum being formed, they shall have full power to make and perform all contracts which they may deem necessary to carry on and complete their intended works, as well as to uphold, alter and repair the same; and also to fix the times and manner, and in what proportion the stockholders shall pay the moneys due on their respective shares, and to draw on the treasurer for all moneys that may be required to carry this act into full effect, or that may be required by their by-laws, rules and regulations; and generally to do all such other acts as by this act, or their by-laws, rules and regulations, they shall be authorized to do. Transferable.
Duties of board.

SECTION 7. That it shall be the duty of the president and managers, as soon as may be after the company shall be organized, to proceed to bring, introduce and convey water into the village of Centreville aforesaid, from such stream or springs as may be fixed upon, or purchased Duty and power to convey water into the village.

by the president and managers for that purpose, by means of pipes or otherwise; and for these purposes, they may enter into such lands and enclosures as may be necessary, and to put up works, and to dig, ditch and lay pipes in and through the same, the company doing as little damage as possible to private property, and paying for whatever injury shall be done by them; when the parties cannot agree according to an assessment made by three disinterested persons, to be appointed, on application, by the court of common pleas of the county of Bucks, who shall be duly sworn or affirmed, justly and truly to make such assessment; and the said president and managers shall, at all times paying damages as aforesaid, have liberty to renew and repair the works, pipes, et cetera, wherever erected, or laid on or through private property, doing as little damage as possible; and also shall have liberty, at all times, to dig and lay pipes along the roads and highways of the said township of Buckingham, and to renew and repair the same as often as occasion may occur, shutting up and mending any breaches which they may make, as soon as possible.

Individuals to be supplied with water.

SECTION 8. That the said president and managers shall, in all cases and at all times, suffer individuals to be supplied, from their said works, with water for domestic, manufacturing or other purposes, for such reasonable compensation as shall, from time to time, be agreed on by the company, and such individuals, according to certain uniform rates which the president and managers shall hereafter adopt, having regard to the probable quantity of water which applicants are likely to consume.

Capital stock to be paid in instalments.

SECTION 9. That the president and managers shall call in the capital stock by instalments, as the same may be required; and if any stockholder shall neglect to pay the same, after thirty days' notice, published in a paper in said county of Bucks, payment may be enforced as in other cases; and whenever the debts of the company shall be paid, and the income shall exceed the expenses of the company, the president shall declare a dividend on the stock paid in yearly, on the first Monday of May, and shall publish the said dividend, and the place where the same will be paid, in the same manner as is directed for notices for the elections for officers of said company, and shall cause the same to be paid accordingly.

Commencement and completion of work.

SECTION 10. That if the said company shall not proceed to carry on the said work within three years after the passing of this act, or shall not, within five years afterwards, complete the same, so far as to carry the water into said village, in either of these cases, all and singular the rights, liberties and franchises hereby granted to the said company, shall revert to this commonwealth.

Reservation.

SECTION 11. The legislature reserves the right to alter or repeal the privileges hereby granted, whenever, in their opinion, the same shall be necessary: *Provided however*, That no injustice shall be done to the corporators.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

WM. WILLIAMSON,
Speaker of the Senate.

• APPROVED—The eighth day of April, one thousand eight hundred and forty-eight.

FRS. R. SHUNK.