

*W. M. Darlington*  
L A W S  
*1860-2*

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF PENNSYLVANIA,

PASSED AT THE SESSION OF 1860,

IN THE

EIGHTY-FOURTH YEAR OF INDEPENDENCE.

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WITH AN APPENDIX.

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HARRISBURG:

A. BOYD HAMILTON, STATE PRINTER.

1860.

over or on said bridge and railroad, or either, as to the president and directors may seem reasonable.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 692.

## A N A C T

To incorporate the Laporte 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 Meylert, William A. Mason, Doctor F. Fleschut, Charles C. Finch, William Meylert, B. S. Cheeners, John S. Green, Chapman Baldwin, T. J. Ingham and Doctor Charles H. Dand, or such of them as become stockholders, and their associates, successors and assigns, or persons who shall become stockholders, be and are hereby made and created a body politic and corporate, by the name and style of the Laporte gas and water company; and by the said name they shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded, in all courts and judicatories whatsoever, and also of contracting and being contracted with relative to the business and objects of the said corporation; and they may have a common seal, and may change and alter the same at pleasure; and they shall have power to purchase and hold, in fee simple, such real estate as may be necessary for carrying on the business of said corporation, and in their corporate name to make and execute their obligations for their liabilities created for the purchase money for the same, and other necessary effects of the said corporation, as they may deem expedient: *Provided, That such liabilities shall be created only for the purpose stated in this act.*

Corporators.

Style.

Powers.

Proviso.

SECTION 2. That the said company shall have power to provide, erect and maintain all works and machinery, or engines, necessary or proper for making, raising and introducing into the borough of Laporte a sufficient supply of gas and pure water; 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

Powers and privileges.

workmen, and with their tools, carts, wagons and horses, to enter upon such lands and enclosures, streets, lanes and alleys, roads, highways and bridges, as may be necessary to occupy or obtain materials for the construction of the 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 in the manner hereafter provided.

Damage or injury to private property, how settled and adjusted.

SECTION 3. That if, in the location of said works, an injury shall be done to private property, and the parties cannot agree upon the amount of compensation to be made to the owner, they may refer the same to men mutually chosen by them, or either party may apply to the court of common pleas of Sullivan county for the appointment of three judicious men to view the premises, and make report to the court, whose award shall be subject to the right of appeal by either party, as in cases under the compulsory arbitration law; and when appealed from, to be tried as if an original action had been brought in said court; and if no appeal be entered within twenty days after the said report shall have been filed, it shall have the effect of a judgment, and be collected in like manner: *Provided*, That the company may file bonds, with security, approved by the court, and proceed with said work the same as if judgment had been obtained and paid.

Proviso.

Capital stock.

SECTION 4. That the capital stock of said company shall be twenty thousand dollars, to be divided into one thousand shares of twenty dollars each.

Annual election for officers.

SECTION 5. That the stockholders shall annually, on the first Monday of June, of each year, elect a president, six managers, secretary and treasurer for said company; and until the first Monday of June, one thousand eight hundred and sixty, such of the corporators above named as become stockholders shall be the managers thereof, and shall choose from their number a president, secretary and treasurer; and in case of failure to elect said officers on the days named, the company shall not for that reason become extinct, but the officers shall hold over until others are elected to supply their places.

By-laws.

Proviso.

SECTION 6. That the said company shall have authority to make and adopt such by-laws, rules and regulations for the government of the same as they may deem proper: *Provided*, That the same do not conflict with the laws of this commonwealth or of the United States.

Certificates of stock and transfer of.

SECTION 7. That the president and managers shall procure certificates of stock, which, signed by the president and treasurer, and sealed with the corporate seal, shall be delivered to each stockholder, and which shall be transferable at his pleasure, in the presence of the president, treasurer or other person appointed by the company for that purpose; subject, however, to all assessments due and to become due thereon; and when such assignment shall have been made, and entered upon the books of the company, the holder shall be a member of said company, and in every election or meeting of the stockholders of the said company, shall be entitled to one vote for each share of stock by him or them held.

SECTION 8. That if any subscriber for stock, or his assignee, shall refuse or neglect to pay any instalment called for by the

said company at the place appointed, and the same shall remain unpaid for thirty days after the time appointed, he shall, in addition to the instalment called in, pay at the rate of five per centum per month for delay; and if the same shall remain unpaid so long as that this penalty shall amount to the sum actually paid by the said stockholders, it shall be in the power of the said company to forfeit the said stock, and the amount paid thereon, to be disposed of by said company as will best promote their objects and interests.

Instalments,  
relative to pay-  
ment of, &c.

SECTION 9. That 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 the rates and prices to be paid by the citizens 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 at such times as may be prescribed by the by-laws: *Provided*, That such part of said work as may be deemed by said company advisable, 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.

Rules and regu-  
lations.

Proviso.

SECTION 10. That the stockholders of said company shall be liable, in their individual capacities, for all debts due to mechanics, workmen and laborers, and for materials furnished to said company; to be sued for and recovered as provided in the thirteenth, fourteenth and fifteenth sections of an act incorporating the Lackawanna coal and iron company, approved April fifth, one thousand eight hundred and fifty-three; and that the said company shall pay such tax upon dividends as is now or may be required by law.

Individual lia-  
bility.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 693.

## A N A C T

To incorporate the Western Library Association of the city of Philadelphia.

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*