

L A W S

2411-2

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF PENNSYLVANIA
///

PASSED AT THE

SESSION OF 1872

In the Ninety-sixth year of Independence.

WITH AN APPENDIX.

BY AUTHORITY.

HARRISBURG:

B. SINGERLY, STATE PRINTER.

1872.

No. 850.

An Act

Concerning a supply of water for the borough of Mount Joy.

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 corporate authorities of the borough of Mount Joy, in the county of Lancaster, are authorized and empowered to procure a supply of water for said borough, and introduce same therein from any suitable point or points beyond the borough limits, to acquire, have and hold real estate necessary for this purpose, either within or beyond the borough limits, to supply the inhabitants with water, under such regulations and for such prices as from time to time shall be established; the said authorities, their agents artificers and employees, shall have the powers, privileges and immunities of and be subject to the restrictions imposed upon water companies by the general laws of the commonwealth; but said authorities may enter upon lands for materials, to lay and construct pipes, et cetera, or take possession of lands, water privileges and premises as provided for in said general laws, upon tendering to the owner or owners thereof the bond or bonds of said borough, signed by the burgess, in such sum as any judge of the court of common pleas of said county shall direct, conditioned to pay such sum as shall be lawfully assessed and awarded to such owner or owners.

Authorities
may procure
supply of water.

Powers, privi-
leges, &c.

May enter upon
lands for mate-
rials, &c., upon
tendering bond
to owners.

Borough may
borrow money.

Loan subject to
state taxation
only.

How net reve-
nue from works
to be applied.

SECTION 2. That the borough of Mount Joy is authorized to borrow money, from time to time, at a rate of interest not exceeding six per centum per annum, and create a water loan or loans, which money shall be applied to further and carry out the purposes mentioned in the foregoing section; such moneys shall be taxable for state purposes only; and the borough's indebtedness for water loans, at any one time, shall not exceed forty thousand dollars; all net revenues derived by said borough, from its water works, shall be applied to paying the interest on such loan or loans, and the principal thereof, from time to time, (after the works shall have been completed three years,) in amounts equal to at least two and one-half per centum per annum of the maximum aggregate amount of such loan or loans, until the whole be extinguished; any deficiency in such net revenues, for these purposes, shall be supplied by appropriations out of other funds of said borough.

Corrupting pu-
rity of waters,
prohibited.

SECTION 3. After said borough's water works shall have been established and in operation, it shall be unlawful for any person or persons, wilfully to deposit, cast or throw into the waters of the stream or its tributaries, whence said borough derives its water supply, at any place above or at any place near and below the point whence the borough shall take the water, any filth, offal, garbage, carcasses or decayed animal or vegetable

matter, or to deposit same near such stream or its tributaries, within the aforesaid limits, without using ordinary care and diligence to prevent same from contaminating the waters thereof; offenders herein may be subjected to all the penalties imposed by the general laws of the commonwealth upon persons wilfully and maliciously injuring the works of water companies. Penalties.

SECTION 4. The water works and real estate belonging to said borough for water purposes, with its appurtenances and fixtures, shall be exempt from all taxation, except for state purposes; moneys due said borough for the use of water, may in all respects be collected and secured as now directed by law for expenses incurred by said borough in curbing and paving: *Provided*, That this act shall not take effect unless a majority of the legal voters of said borough shall decide in its favor, at an election held for such purpose, of which election at least ten days' public notice shall be given by the burgess of said borough, posting or having posted at least fifteen printed handbills, at the most public places in said borough, stating the object of such election, and the time it is to be held: *Provided further*, That such election shall be held by the same officers and under the same laws and regulations that borough elections are now held in said borough. Works to be exempt from local taxation.
How moneys due for use of water to be collected.
Question of acceptance of act to be submitted to vote of electors.

WILLIAM ELLIOTT,

Speaker of the House of Representatives.

JAMES S. RUTAN,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and seventy-two.

JNO. W. GEARY.

No. 851.

An Act

To incorporate the Downingtown Real Estate Association.

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 Adam Warthman, J. A. M'Caughey, John M. Pomeroy, Chalkley Albertson, A. P. Tutton, Joshua Kames, William F. Smith, R. M. Foust, C. H. Roney, R. D. Wells, John Webster, John F. Forrest, their associates, successors and assigns, be and they are hereby incorporated as a body corporate and politic, in law, under the name style and title of the Downingtown Real Estate Association, with a capital of one thousand shares of one hundred dollars each. Corporators.
Title.
Capital.