

LAWS

2411-1

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF PENNSYLVANIA,

PASSED AT THE

SESSION OF 1873,

In the Ninety-seventh year of Independence.

WITH AN APPENDIX.

BY AUTHORITY.

HARRISBURG:

BENJAMIN SINGERLY, STATE PRINTER.

1873.

the receipts into and payments from the water funds, including income from the works and receipts from taxes, and showing particularly the amount of debt owing on account of the construction and maintenance of said works, and time when the same is payable.

SECTION 7. That all the money realized from the sale of bonds, issued in pursuance of the provisions of former acts, together with all the water rents and income of said water works, shall be designated the water fund, and shall be expended in the construction, repair and maintenance of said works, the payment of the interest on said bonds and the redemption of said bonds, and for no other purpose; that all laws or parts of laws inconsistent herewith be and the same are hereby repealed.

Water fund designated.

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.

No. 454.

An Act

To authorize the borough of Renovo to erect water works and to supply the said borough with water.

SECTION 1. *Be it enacted, &c.*, That for the purposes of introducing into the borough of Renovo, in the county of Clinton, a sufficient supply of fresh and pure water, the corporate authorities of the said borough be and they are hereby authorized and empowered to purchase and hold in the name of said borough, in fee simple or for any less estate, any water power or powers in, near or convenient to the said borough, or any lands, tenements, hereditaments to which any water power or powers may be appurtenant, with full power the same or any part thereof to grant, bargain, sell, alien, convey, mortgage, pledge, charge, encumber and demise and dispose of at their will and pleasure; and also to take, occupy and enjoy any stream or streams of water, or spring or springs in, near or convenient to the said borough, or any lands to which any stream or streams of water or spring or springs may be appurtenant, with full power to hold the same for the purpose above mentioned, they doing as little damage as possible, and making compensation to the owner or owners thereof in the manner hereinafter provided for.

Borough authorities authorized to purchase water power, &c.

SECTION 2. That the said corporate authorities of the borough of Renovo, shall have full power and authority to provide, erect, construct and maintain all works and machinery or engines necessary or proper for introducing into the said borough a sufficient supply of fresh and pure water, and shall provide, erect, construct and maintain all proper buildings, cisterns and reservoirs, machinery, drains, trenches, pipes and all works and things necessary or proper to full and entire

To provide works and machinery.

completion of the same ; and for this purpose they are hereby authorized and empowered by themselves, their agents, artisans, engineers and workmen, with their tools, instruments, carts, wagons and other carriages and beasts of burthen or draft, from time to time, and at all times hereafter, to enter into and upon any lands or enclosures and public or private roads, or highways or streets, as may be necessary, and to occupy, dig, ditch and lay pipes through the same, and to erect and maintain thereon such cisterns and reservoirs as may be needful and proper for the purposes aforesaid, and the same to raise, alter and repair, doing as little damage to private property, and making compensation to the owner or owners thereof in the manner hereinafter provided for.

SECTION 3. The said corporate authorities of the borough of Renovo, their superintendents, engineers, workmen and laborers, with their tools, instruments, carts, wagons and other carriages and beasts of burden or draft, may enter upon lands contiguous to the dam or dams, works, cisterns and reservoirs which they may erect on the route upon which they may lay their pipes, and from thence take and carry away stone, earth, sand or other material necessary to the construction or repair of the said dam or dams, works, cisterns or reservoirs, or to the proper laying down of the said pipes, doing as little damage as possible, and repairing any breaches they may make in the enclosure thereof, and making compensation to the owner or owners thereof in the manner hereinafter provided for.

SECTION 4. If the parties cannot agree upon the compensation to be made to the owner or owners of such lands and enclosures required for the use of said works, it shall and may be lawful for the parties to appoint six suitable and judicious persons, who shall act under oath or affirmation, a majority of whom shall be competent to make an award in the case ; or if they cannot agree upon such persons, then either of the parties may apply to the court of common pleas of the county of Clinton, and the said court shall award a venire, directed to the sheriff, to summon six disinterested men of his county, in order to ascertain and report to the said court what damages, if any, has been done by the said corporation of the borough, of Renovo, which report being confirmed by the court, judgment shall be entered thereon, and execution may issue in case of non-payment of the sum awarded with reasonable costs to be assessed by the court: *Provided*, That either party may appeal to the court within thirty days after such report shall have been filed in the prothonotary's office, in the same manner as appeals are allowed in other cases, whether the said report was made by persons agreed on by the parties, or summoned by the sheriff, upon which appeal such proceedings shall be had as are used in actions for damages at common law: *And provided further*, That it shall be lawful for the said corporation, of the borough of Renovo, to enter at once into possession or use of such lands and premises, upon giving or tendering to the claimant or claimants their bond or bonds, in such amount and with such security as may be approved by one of the judges of said court conditioned for the

To enter upon lands and enclosures.

Pay damage therefor.

May enter for material.

Tribunal to assess damage.

Power of the court to summon appraisers.

Parties may appeal.

Authorities may enter upon by giving security for damages.

payment of such sums as the said claimant or claimants shall be entitled to receive after assessment made as aforesaid.

SECTION 5. The said corporate authorities, in council assembled, shall have full power and authority to pass, enact and ordain all laws and ordinances necessary to enable them to convey the said water through the borough, in all directions, and to fix hydrants and fire-plugs wheresoever they may deem proper; and to fix and determine, from time to time, the rates of prices to be paid by the citizens for the use of said water, and the penalties for non-payment, and to protect the water works, cisterns, reservoirs, pipes, plugs and hydrants from damage or destruction, and generally to do all things requisite and necessary for carrying into full and perfect effect the objects contemplated by this act. May enact by-laws

SECTION 6. That the burgess and town council of the borough of Renovo, are hereby authorized and empowered for the purpose of carrying on, into full effect, the provisions of this act, to borrow in the name and upon the faith, credit and responsibility of said borough, such sum or sums of money, not exceeding in the whole, the sum of fifty thousand dollars, as they may deem necessary for the aforesaid purpose, in addition to any sums authorized to be borrowed for other purposes, and to issue bonds or certificates of indebtedness, in the name of the said borough of Renovo, under the corporate seal, attested by the burgess and treasurer, or secretary, to the purchaser or purchasers of said loan, in such sums as the said borough authorities may see proper, and bearing such rate of interest, not exceeding eight per centum per annum, and redeemable at such times as may be agreed upon, and to levy, assess and collect such taxes, from time to time, as may be necessary to pay the interest on such loans, and to redeem the principal at such times and in such manner as may be conformable to the terms upon which the same shall have been taken. May borrow money
Limit.
May issue bonds.

SECTION 7. That the said authorities shall have power, from time to time, to borrow moneys, in the manner aforesaid, for the purpose of redeeming and paying off any loan or loans contracted by virtue of the last preceding section, and shall have all the powers for levying, assessing and collecting taxes, for the purpose of redeeming the same, principal and interest, as are given in the last preceding section of this act in relation to the original loans. May borrow money
to redeem loans.
Levy tax to pay.

SECTION 8. That the said borough authorities shall have power to levy and collect annually, for borough purposes and for the purposes authorized by the foregoing sections of this act, any tax not exceeding one cent on the dollar on the valuation assessed for county purposes, as now is or may be provided by law; all property, offices, professions, occupations, and persons made taxable by the laws of this commonwealth for county rates and levies shall be taxable after the same manner for said borough purposes and for the purposes authorized by this act. Tax for borough
and water pur-
poses.

APPROVED—The 27th day of March, A. D. 1873.

J. F. HARTRANFT.