

L A W S

2411-2

OF THE

GENERAL ASSEMBLY

OF THE

COMMONWEALTH OF PENNSYLVANIA,

PASSED AT THE SESSION OF 1850,

IN THE

SEVENTY-FOURTH YEAR OF INDEPENDENCE.

WITH

AN APPENDIX.



PUBLISHED BY AUTHORITY.

HARRISBURG:

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

.....
1850.

No. 244.

AN ACT

Authorizing the town council of the borough of Tamaqua to construct water works and to borrow money, and to divide said borough into three wards; and authorizing the borough of Middletown, in Dauphin county, to borrow money.

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 town council of the borough of Tamaqua, in Schuylkill county, is hereby authorized, on the credit of said borough, to borrow any sums or sum not exceeding twenty thousand dollars, at a rate of interest not exceeding six per centum per annum, to be applied towards constructing water works for the purpose of supplying said borough with water under the direction of the council. Town council of the borough of Tamaqua, Schuylkill county, authorized to borrow money.

SECTION 2. For the purpose of paying the interest and principal of said debt, the said town council shall have authority (in addition to the water rents) to levy a special tax, equally, if they choose, or unequally, upon different portions of the town, according to the benefit conferred, if they see proper to do so; and the water rents accruing shall be applied entirely to the payment of the interest and principal of the debt contracted for the construction of said works, until the whole is paid. Object. Provision for the payment of interest and principal.

SECTION 3. And the said town council by their agents shall have power to enter upon any lands, public or private, and there do all things necessary in constructing said works through said land; and also, the power of re-entry at any time for the purpose of repairing said works: *Provided however,* That as little damage as possible be done to the property of the owner of said land: *And provided further,* That reasonable compensation be made to the owner of the land, for the damage done to his property by the said works; and if the parties cannot agree as to the amount, either party may apply to the court of common pleas of the county, upon which application the court shall appoint a jury of three or more disinterested citizens to assess the damages, and the amount so assessed shall be the amount paid. Enter upon lands. Proviso.

SECTION 4. The said town council may sue in the name of the borough of Tamaqua, in any cases arising in regard to said water works or rents, and shall possess all the remedies in law and equity which said borough as a corporation possesses in other cases, and shall be liable as said corporation is in law and equity liable in other cases. Remedies in law.

SECTION 5. That from and after the passage of this act, the borough of Tamaqua, in the county of Schuylkill, shall be and hereby is divided into three wards, as follows, to wit: That portion of the said borough east of the railroad of the Little Schuylkill navigation, railroad and coal company, to be called the East ward; that portion west of said railroad and north of Mauch Chunk street, to be called the North ward; that portion west of said railroad and south of Mauch Chunk street, to be called the South ward; hereafter said wards at all general, electoral, special and borough elections shall hold their elections in their respective wards; the South ward as heretofore at the school house; the North ward at the public house now occupied by Samuel Beard, and the East ward at the public house now occupied by Lewis Buehler. Division of said borough into three wards.

SECTION 6. The qualified electors in each ward shall, at the times and in the manner prescribed by law, elect one justice of the peace, one constable, one judge of elections and two inspectors of elections, but the assessor, assistant assessors, borough and other officers shall be elected by the qualified voters of the borough, as heretofore, without regard to locality or division into wards.

SECTION 7. The election officers of the aforesaid borough shall hold and conduct the first election to be held in the said South ward, under the provisions of this act; and Samuel Beard is hereby appointed judge, and Benjamin T. Hughes and John M. Washington inspectors, to hold and conduct the first election in the said North ward; and Benjamin Heilner is hereby appointed judge, and Dietrich Schnackenberg and Nicholas Greissimer inspectors, to hold and conduct the first election in the said East ward, at which times and places each ward aforesaid shall elect such officers as the law prescribes, then and there to be elected; and also, election officers, which election officers, so elected, shall hold their office till their successors are regularly elected at the proper time, in the year of our Lord, one thousand eight hundred and fifty-one, or thereafter; notice of such elections to be given, and the same to be conducted and the returns of such elections to be made according to the several provisions contained in the acts of assembly regulating such elections.

SECTION 8. That the town council of the borough of Middletown, in the county of Dauphin, be and is hereby authorized to borrow an amount of money, for the purpose of improving the streets and alleys in said borough, not to exceed eight hundred dollars, to be paid by levying a tax on the citizens and property holders, in the same manner and on the same articles that are taxed for county and state purposes by the existing laws of this commonwealth, and to be paid in a term not to exceed four years.

J. S. M'CALMONT,

Speaker of the House of Representatives.

V. BEST,

Speaker of the Senate.

APPROVED—The second day of April, one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No. 245.

AN ACT

Authorizing Robert Milligan, guardian of the minor children of James Graham, late of Allegheny county, deceased, to sell and convey certain real estate; and relating to the Vigilant fire company 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*