

L A W S

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF PENNSYLVANIA,

PASSED AT THE

SESSION OF 1870,

In the Ninety-fourth year of Independence.

WITH AN APPENDIX.

BY AUTHORITY.

HARRISBURG:

B. SINGERLY, STATE PRINTER.

1870.

No. 506.

A Supplement

To the charter of the city of Allentown.

Vacancies in
councils.

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 in case of vacancy in either branch of councils, by resignation or removal from the district, or failure to attend the stated meetings for three consecutive months or otherwise, the remaining member or members from the ward in which said vacancy may have occurred shall name one or more persons from said ward, one of whom shall be chosen by council to serve the remainder of the term: *Provided,* That it is hereby understood that each branch of council shall have the full power to fill its own vacancy without interference from the other branch.

Repeal of cer-
tain provisions
relating to con-
struction of sew-
ers and culverts.

SECTION 2. That section five of a supplement to the charter of the city of Allentown, relating to construction of sewers and culverts through the public streets and alleys of the city, approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-eight, be and the same is hereby repealed.

Council may
provide for the
taxing, &c., of
dogs.

SECTION 3. That the said council shall have power to provide by ordinance for the taxing, regulating and restraining of dogs and bitches from going at large or loose within the city, and for destroying the same, any act to the contrary notwithstanding.

May supply city
with water.

SECTION 4. That the councils of the city of Allentown shall have power and are hereby authorized to supply with water the said city of Allentown, and such persons, partnerships and corporations therein as may desire to use the same, at such prices as may be deemed just and right; and for that purpose to make, erect and maintain all proper works, machinery, cisterns, buildings, pipes and conduits for the raising, reception and conveyance of water, and also to extend, enlarge and increase the capacity of such works and machinery, should necessity require it; and in order to effect the object and purposes aforesaid, all the rights, privileges and franchises heretofore, by their several acts of incorporation, or otherwise, granted to, or vested in, the Allentown water company, are hereby extended and conferred upon said councils: *Provided,* That in order to defray the expenses and cost of supplying the said city with water, either by purchase or otherwise, as hereinbefore provided, the said councils are hereby authorized and empowered to borrow any sum of money, not exceeding one hundred and seventy-five thousand dollars, in addition to such sums of money as the said councils are heretofore authorized to borrow for other purposes for the use of said city.

May erect works

Rights, &c., of
Allentown wa-
ter company
conferred upon
councils.Councils au-
thorized to bor-
row money.

SECTION 5. That the councils of the city of Allentown shall

have power to provide for the assessment and collection of all taxes, water rents, et cetera, as well as any or all other claims and demands due the city, for any purposes whatsoever, on all persons, partnerships and corporations, real and personal property, and all other matters and things within the said city taxable for state and county purposes, for the payment of loans and interest, for the supply of water and the general support of the city government, and to make and maintain the necessary improvements of the said city; and the assessors of the several wards shall perform their duties as such in conformity with the provisions of an act heretofore enacted, and with the ordinances of the city relating thereto.

May provide for assessment and collection of taxes, water rents, &c.

SECTION 6. That all taxes and water rents assessed and levied upon real estate in pursuance of the several acts, laws and ordinances of the said city, shall be a lien upon such real estate from the time of such levy, which shall be so entered, in a book hereinafter provided for and kept for that purpose in the office of the prothonotary of Lehigh county, against such persons, partnerships and corporations owing the same; and the defendant or defendants, or other persons, shall not be entitled to claim any exemption under a levy and sale of such real estate charged with such tax, against the allowance or payment of the same: *Provided*, That the assessment and collection of the city taxes shall not exceed three-quarters of one per centum upon the city valuation in any one year.

Taxes and water rents to be a lien on real estate.

Persons not entitled to claim exemption under levy and sale.

Limitation of rate of taxation.

SECTION 7. That the annual assessments shall be completed on or before the first day of June in each and every year, and upon the duplicates of city taxes and water rents having been made as may be directed by councils, the same shall be placed in the possession of the city treasurer, who shall receive and collect the said taxes and water rents forthwith; and after the first day of August in each and every year, the additional sum of five per centum shall be added to all the taxes then remaining unpaid in the duplicates, and after the first day of October in each and every year, an additional sum of five per centum shall be added to all taxes then remaining unpaid in the duplicates; after which time the duplicates, together with the additions heretofore provided, shall be placed in the hands of one more collectors, to be appointed by the said councils, who shall proceed to collect the same until the first day of January following, after which time, in each and every year, a correct and detailed statement of the said taxes then due and unpaid shall be placed by the city treasurer in the hands of a city solicitor, or any other attorney to be appointed or selected by the said councils, who shall cause the said taxes as aforesaid remaining unpaid to be registered in the name of the city of Allentown, and against the person or persons charged in the said duplicates, with the additions heretofore provided with the same, or if any property has been transferred upon which such tax has been assessed, against the party who may have become the owner, or owners, of such property, in the office of the prothonotary of the county of Lehigh, who shall keep a separate book for that purpose, to be called the register of taxes; and all taxes so registered shall be and continue to be liens upon the real

Collection of taxes and water rents, relative to

estate upon which it was so assessed, for the term of five years; the prothonotary shall be allowed and be paid, for each tax so registered, a fee of twenty-five cents, which shall form part of the expenses, and shall be paid by the party from whom the tax is due and owing; he shall also, on demand made during official business hours, make searches and furnish transcripts from the register of taxes aforesaid, for which he shall be allowed the usual fees: *Provided however*, That the collector or collectors, as hereinbefore provided, shall use all diligent means to collect the said taxes so furnished by the city treasurer; said collector or collectors, as the case may be, shall have all the powers and authority now provided by law for the collection of state and county taxes: *Provided further*, That the collector to be appointed, as hereinbefore provided, shall upon refusal or neglect by any person to make payment of any such tax due after demand made, proceed to collect the same by levying such amount by distress and sale of the goods and chattels of such delinquent; for which purpose the said collectors shall have all the power and authority now provided by law for the collection of state and county taxes: *And provided further*, That it shall not be lawful to register any unpaid taxes unless due and proper demand having first been made for such amount of tax due, nor while personal property, goods and chattels be found upon the premises of the real estate so taxed, sufficient to satisfy said tax, together with costs and charges, if any: *And provided further*, That this act shall not be so construed as to prevent the city from authorizing, by ordinance, the collection of water rents by other modes, and at an earlier season of the year, only that the same by non-payment may become a lien upon real estate.

Corporate authorities to issue bonds, &c.

SECTION 8. That for the loans by this act, as well as by the several acts of assembly for other purposes, for the use of the city, heretofore authorized, the corporate authorities shall from time to time, as the case may require, pledge the faith of the city by issuing bonds, certificates of loan or other evidences of indebtedness for the amount so borrowed; which said bonds, certificates or evidences of indebtedness shall be signed by the mayor and the president of the select council, sealed with the corporate seal of the said city, and attested by the clerk of the common council, and shall be binding and obligatory on said corporation, and shall bear interest not exceeding seven per centum per annum: *Provided*, That any loan due by the said city shall not be disposed of at less than par value, and shall be subject only to the payment of state taxes.

Councils may assess and collect tax upon billiard tables, &c.

SECTION 9. That the select and common councils of the said city shall have power and authority to assess and collect annually, as hereinbefore provided, in addition to the taxes now authorized by law, a tax upon billiard tables, billiard saloons and bowling alleys, not exceeding ten dollars for each table, and not exceeding twenty dollars for each alley in use within the city: *Provided*, That this act shall not be so construed as to authorize the laying of said tax upon such ta-

Proviso

bles and alleys as are or may be kept by private citizens for their own use.

SECTION 10. That for future convenience and economy the corporate authorities shall have power and privilege, at any time it may be expedient, to point out, locate and designate any street or alley, for any distance not exceeding one mile beyond the present limits of the city, which may become necessary for the wants of the city in extending the said limits, and to request and caution property holders from encumbering such sites for streets and alleys with any permanent structures, and if, after said caution, any buildings should be erected, no damages shall be recoverable for the same if such street or alley be afterwards opened to public use.

Corporate authorities may locate streets or alleys beyond city limits.
May caution property holders against encumbering sites with permanent structures.

SECTION 11. That all laws or parts of laws inconsistent herewith, be and the same are hereby repealed.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 507.

An Act

Relative to the fees of notaries public in Northumberland county.

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 from and after the passage of this act all fees which are now chargeable and receivable by the notaries public in Northumberland county shall be increased twenty-five per centum: *Provided,* That the increase shall not relate to the fees for the acknowledgment of deeds and mortgages.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.