

L A W S  
OF THE  
GENERAL ASSEMBLY  
OF THE  
STATE OF PENNSYLVANIA,

PASSED AT THE  
SESSION OF 1867,

In the Ninety-first Year of Independence.

WITH AN APPENDIX

By Authority.

HARRISBURG:  
SINGERLY & MYERS, STATE PRINTERS.  
1867.

Proviso. corporation; *Provided*, That on all such increase of their capital stock, they shall, within one year after the same has been created, pay into the treasury of the commonwealth a tax of one-half of one per centum on the amount of such increase; and all additional stock, so created, shall be of the same tenor and obligation, in all respects, as the present capital stock of said company: *And provided further*, That no certificate issued, for any money so borrowed, shall be for a less sum than one hundred dollars.

Authorized to purchase land in certain counties. SECTION 2. That the said Penn Gas Coal Company shall be and they are hereby authorized to purchase, take and hold such quantity of land, in the counties of Westmoreland and Allegheny, as they may deem necessary, for the purposes of said company, not exceeding, in the whole, three thousand acres; and that so much of the act, to which this is a supplement, as limits the continuance of said act, to twenty years, be and the same is hereby repealed; and that hereafter the said Penn Gas Coal Company shall have perpetual succession.

Repeal of limitation.

JOHN P. GLASS,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

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

JNO. W. GEARY.

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No. 314.

## An Act

To enable the South ward, in the city of Chester, to procure a supply of water.

Preamble.

WHEREAS, The city of Chester, in this state, is without water works, for the supply of its inhabitants, or for the extinguishment of fires:

*And whereas*, The South ward, of said city, pursuant to an election, held under act of assembly, approved the eleventh day of April, one thousand eight hundred and sixty six, voted in favor of supplying such want, by a large majority of its property owners; therefore,

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 members of the city council of the said South ward, or a majority of them, or their successors, in office, or a majority of said successors, shall have power and authority, at

any time after the passage of this act, to contract with any person, persons, corporations, or firms, for the erection of works to supply the said South ward, and the inhabitants thereof, with an adequate supply of water, for sanitary business and other purposes, either located in the said South ward, or at such other point convenient thereto, as the said councilmen, or a majority thereof, shall deem expedient; and also to contract, as aforesaid, for the laying of all pipes of conduit and supply that they may deem necessary.

SECTION 2. For effecting the purposes of this act, the said councilmen, their successors, or a majority of them, shall have power, by themselves, their agents, or employees, to use and occupy the roads of Delaware county, the streets of the said city, the streets of the said South ward, and other property, in the said county, city and ward, with the same rights and privileges, and subject to the same restrictions, as are now, by law, given to, and imposed upon, water companies in this commonwealth; and the said councilmen, their successors, or a majority of them, shall have power to direct the laying of water pipes within the limits of the said South ward; and the expense thereof shall be paid by the owners of ground, in front whereof such work shall be done, in the same manner as is now practiced and allowed, for similar work, in the city of Philadelphia, to be recovered by lien, or suit, in the same manner that municipal claims are now collected in the city of Chester; such liens, or suits, to be entered, or commenced, in the name of the city of Chester, for the use of the said South ward.

SECTION 3. The said councilmen, their successors, or a majority of them, shall have power to furnish any person, persons, corporations, or firms, in the said South ward, with water, upon such terms as they may establish, and to employ and establish all such agents, employees and departments, as they may deem necessary to fully carry out the provisions and intent of this act: *Provided*, That nothing herein contained shall be construed to entail expense upon any part of the said city, beyond the said South ward: *And provided*, That the moneys accruing from contracts, made under the provisions of this act, for supplying water, may be collected as hereinbefore provided, with all the remedies enjoyed by the city of Philadelphia, and the departments thereof, for the collection of moneys due under similar contracts.

SECTION 4. Any profits arising, after paying the expenses of the said water works, and the interest on the loan hereinafter authorized, shall be held for the use of the South ward, and shall be paid into the treasury of the said city, on account of the taxes of the same, hereafter assessed and levied against the said South ward.

SECTION 5. For effecting the purposes of this act, the said councilmen, their successors, or a majority of them, or of their successors, shall have power to contract a loan, not exceeding two hundred thousand dollars, and to pay for the erection of the said water works, and the supplying of the said water, as the same progresses, and in such payments as they may deem proper; as security for the payment of the said loan, all the

Councils authorized, to contract for erection of water works, &c.

Councilmen, authorized to occupy roads, &c., and direct laying of pipes.

Expense, by whom paid, and how recovered.

Authorized to furnish persons in South ward with water.

Proviso.

Proviso.

Profits, relative to.

Authorized to contract a loan.

Security for payment of loan.

property in the said South ward, real, personal and mixed, shall be pledged and bound, until the said loan is redeemed ; and the said councilmen, their successors, or a majority of them, or of their successors, shall have power to contract for the time of payment of the same, and for the payment of any rate of interest, not exceeding legal interest, and also for all taxes assessed upon moneys at interest.

To contract for time of payment, &c.

Bonds to be issued.

Proviso.

Duty of officers of city.

Bonds to be conclusive in favor of holders.

City of Chester may purchase said water works.

SECTION 6. For the said loan, bonds of the city of Chester, signed by the mayor, the president of council, and the clerk of council, with the seal of said city affixed, shall be issued in the usual form that bonds of the said city are now issued : *Provided*, That the same shall state that the said bonds are a lien, only, upon and recoverable from the property and citizens of the said South ward ; and it is hereby made the duty of and enjoined upon the officers of the city of Chester, whenever requested, by the said councilmen of South ward, or a majority of them, their successors, or a majority of such successors, to issue said bonds to the persons, for the amounts and upon the terms contained in such request ; and the said bonds, with the signatures and seal, aforesaid, shall be conclusive in favor of the holders, and shall not be affected, in any way, by any irregularity in the election above mentioned, or of any irregularity occurring in any matter required to be done previous to the issue of the said bonds.

SECTION 7. That the said water works, privileges, revenues and franchises shall be the property of said South ward and its inhabitants ; and the said city of Chester shall have the right and power to purchase the said water works and appurtenances, at the expiration of the same time, and upon the same terms, that municipal corporations are now, by law, empowered to purchase gas and water companies.

JOHN P. GLASS,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of Senate.

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

JNO. W. GEARY.