

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.

No. 734.

An Act

To incorporate the Dunmore Gas and Water Company.

SECTION 1. <i>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,</i>	That Edward Spencer, Daniel Swartz, James C. Bryden, Henry Beyea, S. G. Barker, Anthony Horan and John B. Smith, their successors, associates and assigns, are hereby created a body politic and corporate, by the name, style and title of the Dunmore Gas and Water Company, and by that name shall have perpetual succession, and shall, in law, be capable of suing and being sued, pleading and being impleaded in courts of law and equity, and of contracting and being contracted with, relative to the business of the corporation, and may have a common seal, and the same alter and renew at pleasure, and may have power to purchase and hold, in fee simple, such real estate as may be necessary for carrying on the business of said corporation.
Corporators.	
Title.	
Powers and privileges.	
Seal.	
Authorized to erect water works, &c.	SECTION 2. That said company shall have power to provide, erect and maintain, all works and machinery, engines and apparatus, necessary and proper for making, raising and introducing, into the borough of Dunmore, in the county of Luzerne, a sufficient supply of gas and pure water, and for that purpose shall have the right to use any springs, or streams, of water, embraced in the borough of Dunmore, or the townships of Jefferson and Blakely, in the county of Luzerne, or elsewhere, if necessary, and for that purpose may provide, erect and maintain, all proper buildings, cisterns and reservoirs, for the reception of gas and water to be introduced, and for this purpose they are authorized and empowered, by themselves, their agents, engineers and workmen, and with their tools, wagons, carts and horses, to enter upon such lands and enclosures, streets, lanes and alleys, roads, highways and bridges, as it may be necessary to occupy, for the purposes aforesaid, or to obtain materials for the construction of said works, and to occupy, ditch and lay pipes through the same, and the same to repair, from time to time; and if any injury be done to private property, the said company shall make compensation therefor, or give security for such compensation, according to the provisions of the eleventh section of an act, entitled "An Act regulating railroads," approved February nineteenth, one thousand eight hundred and forty-nine, and the second and third sections of the supplement thereto, approved the ninth day of April, one thousand eight hundred and fifty-six.
Use of springs, or streams, authorized.	
Buildings, &c.	
Authorized to enter upon lands, &c.	
Compensation to owners.	
Capital stock.	SECTION 3. The capital stock of said company shall be one hundred and fifty thousand dollars, divided into shares of fifty dollars each, and any corporation, except municipal corpora-

tions, may subscribe to the same; and the said company may issue bonds to the amount of one hundred thousand dollars, Issue of bonds bearing interest, not exceeding eight per centum per annum, authorized. and secure the same by mortgage of their real estate, franchises and privileges.

SECTION 4. The said company shall have power and authority to purchase and hold lands in the townships of Blakely and Jefferson, or the borough of Dunmore, or either of them, for the purpose of reservoirs, and other purposes necessary to secure water for the water works of said company, not exceeding, however, two thousand acres of land. Authorized to purchase lands. Limitation.

SECTION 5. The stockholders shall, annually, at such day and place as the by-laws may designate, elect five directors to manage the affairs of the company, who shall serve for one year, and until their successors are elected; and the persons above named, may be the first board of directors, and they, and each succeeding board, may elect a president from among their number, and also appoint such other officers and agents, as the interest of the company may require; and in all elections, each share of the stock shall be entitled to one vote. Directors. Officers. Votes.

SECTION 6. If any subscriber to the stock of this corporation shall refuse, or neglect, to pay any instalment, called for by the said company, at the time and place appointed, and the same shall remain unpaid for thirty days, he shall, in addition to the instalment called in, pay interest thereon, for such delay, at the rate of five per centum per month, and the company may sue for and recover the said instalment and interest, or forfeit the amount already paid by said subscriber, as may be best for said company. Unpaid subscriptions, relative to.

SECTION 7. The said company shall have the right to fix and establish all necessary rules and regulations, as to the use of said gas and water, furnished as aforesaid, and to fix the rates and prices to be paid by the citizens and persons using the same, and to collect the same as debts are now collected by the laws of this commonwealth, and to declare dividends of the net profits of said company, as may be provided by the by-laws: *Provided*, That such part of said work as may be deemed advisable by said company, shall be done from time to time, and the company shall have as full power over the work completed, as though they had finished the whole work contemplated by this act. Regulations, prices, &c. Proviso.

JOHN P. GLASS,
Speaker of the House of Representatives.

LOUIS W. HALL,
Speaker of the Senate.

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

JNO. W. GEARY.