

LAWS

2411-2

OF THE

GENERAL ASSEMBLY

OF THE

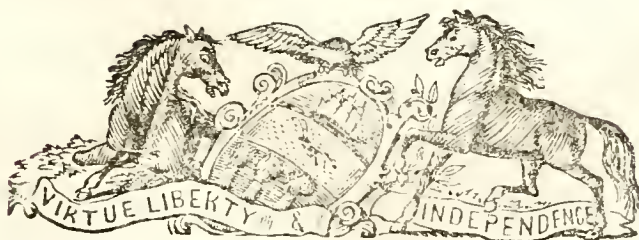
STATE OF PENNSYLVANIA,

PASSED AT THE SESSION OF 1855.

IN THE

SEVENTY-NINTH YEAR OF INDEPENDENCE.

WITH AN APPENDIX.



HARRISBURG:
A. BOYD HAMILTON, STATE PRINTER.

1855.

life, to be paid half yearly, commencing on the first day of January, one thousand eight hundred and fifty-five.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 478.

A SUPPLEMENT

To an act to incorporate the West Ward Water Company of Easton.

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 it shall be lawful for the West Ward water company to lay pipes, erect hydrants, introduce water and exercise all the powers, privileges and authority granted and conferred upon them by the act of incorporation to which this is a supplement, throughout the whole extent of the borough of Easton, excepting so much of the said act as is inconsistent with the provisions of this act: Provided, That in the erection and construction of the works of the said company, they shall not lay their pipes or erect their hydrants or other machinery in such way or manner as to interfere with or injure the pipes, hydrants or other machinery of the Easton water company heretofore laid, erected or constructed.*

SECTION 2. That it shall be lawful for the West Ward water company to purchase and consolidate all the property, real, personal or mixed, belonging and appertaining to the Easton water company, and the same to hold, occupy, use and enjoy together with all the rights, privileges, powers and authority of the said Easton water company of whatsoever kind or nature, upon such terms and conditions as may be agreed upon by the said companies, subject, nevertheless, to the liabilities, restrictions, regulations and requirements contained in the act of incorporation of the said Easton water company, and the several supplements thereto, and the act of incorporation of the said West Ward water company and this act.

SECTION 3. That it shall be lawful for the said West Ward water company to increase the number of their shares and amount of capital stock, and to issue certificates therefor to such number and amount as shall be necessary to carry into effect the provisions of this act, and to borrow any sum of money,

May lay pipes
&c., throughout
all Easton.

Proviso.

May purchase
property of Easton
water company

May increase
capital stock.

not exceeding twenty thousand dollars, and to secure the payment of the same in the same manner as is provided in the thirteenth section of the act to which this is a supplement, and the same notice shall be given, and the same payments made as to the increase of shares and amount of capital as is provided in said act, for the organization and management of the said company.

SECTION 4. That it shall be the duty of the said West Ward water company, in addition to furnishing a sufficient supply of water for the extinguishment of fires as provided for in the eighth section of the act to which this is a supplement, to erect and keep in repair at their own expense, fire plugs as designated in said section, and in the event of an ornamental fountain being erected by the borough or citizens thereof, to supply the same with a reasonable quantity of water free of charge: *Pro-* Must put up fire plugs.
vided, That in such parts of the said borough as the said company shall lay pipes and furnish water along the streets, in which the Easton water company have erected fire plugs, the said West Ward water company shall alternate with the said Easton water company, in the erection and keeping in repair of a sufficient number of fire plugs for the said borough. Furnish water to public fountain
Proviso.

SECTION 5. That it shall not be lawful for the West Ward company, the said Easton water company, or either of them after the first day of January next, to charge any person or persons or corporation for the use of water furnished by them, at a greater rate than the rates hereby established for the cases hereinafter enumerated; and it shall be the right of citizens of the said borough to demand and receive of the said water companies, or either of them, a supply of good water at any rate per annum not exceeding the following, which it shall be lawful for the said companies or either of them to demand and receive, at such times, and upon such conditions, as they or either of them shall by their by-laws establish for the furnishing of water generally: for each hydrant or the use of a hydrant, four dollars: for the first extra cock, one dollar, for the second and each subsequent cock, fifty cents; for every private bath, three dollars; for every public bath, five dollars; for every pave wash, three dollars; for the bar of every hotel, and for every place where liquors are sold and drank, twenty dollars; for every office, store, and for every shop where water is not used for mechanical purposes, one dollar; and for every other case not above enumerated, such reasonable sum as may be agreed upon by the parties. Water charges regulated.

SECTION 6. That the qualified electors of the borough of Easton shall at their next annual borough election, and annually thereafter, elect three disinterested citizens of said borough, who shall be called water commissioners, whose duty it shall be to meet at the town hall of the said borough within twenty days after the said companies or either of them shall have laid their annual water tax, and notified each taxable of the amount of his, her or their tax, and hear the complaints of citizens of the said borough as to any injustice in the levying of said tax, and after hearing the parties present, the said water commissioners shall make such decree in the premises as shall be equal and just, and such decree shall be final between the parties: *Provided,* Water commissioners.
That before proceeding to the performance of their official duties, they shall take and subscribe the constitutional oath of this commonwealth, and shall give at least five days' notice of such Their duties.
Proviso.

Proviso.

meeting in at least two of the newspapers published in the said borough: *And provided*, That on failure to elect, or in case of vacation from any cause, the town council shall be authorized to appoint until the next annual election.

Repeal.

SECTION 7. That so much of the act of incorporation, to which this is a supplement, as renders real estate, or any interest in real estate, greater than a freehold, liable for water rents, is hereby repealed.

Dividends regulated

SECTION 8. That it shall not be lawful for the said West Ward company after the passage of this act, to make a dividend among the stockholders thereof of any greater sum than ten per cent. of the net proceeds of the said company; and whenever the same shall exceed such sum, the excess thereof shall, under the approval of the court of common pleas of said county of Northampton, be invested in trust for the use of the said borough of Easton from time to time, until the amount of such fund shall equal the actual cost of the said water company, for the erection and construction of their works as aforesaid, when the said company shall accept the same, and in consideration thereof transfer all the rights and property aforesaid to the corporation of the borough of Easton; and until such time it shall be the duty of the managers of the said company to make and report to the said court an annual statement of the business affairs of the said company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 479.

A N A C T

Relating to Canal and Navigation Companies.

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 all incorporated canal and navigation companies shall have the same rights to obtain lands and materials for the repair, enlargement or improvement of their works as are conferred upon railroad companies, for the purposes therein named, by the tenth and eleventh sections of the act of nineteenth of February, one thousand eight hundred and forty-nine, entitled "An Act regulating railroad companies," the said navigation and canal companies paying for the said land and materials as provided for in said act: *Provided*, That this section shall not authorize any