

ACTS

OF THE

GENERAL ASSEMBLY

OF THE

COMMONWEALTH OF PENNSYLVANIA,

PASSED AT A SESSION

WHICH WAS BEGUN AND HELD AT THE BOROUGH OF HARRISBURG,

ON TUESDAY, THE FIFTH DAY OF DECEMBER,

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND TWENTY,

AND OF THE

INDEPENDENCE

OF THE

UNITED STATES OF AMERICA

THE FORTY-FIFTH.

.....
PUBLISHED BY AUTHORITY.
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HARRISBURG:

PRINTED BY G. GLEIM, CORNER OF THIRD AND WALNUT STREETS.

1821.

CHAPTER C.

AN ACT

To incorporate the Loudoun town water company in the county of Franklin.

Loudoun town water company incorporated; and its style and title.

Powers and privileges.

Notice to be given. Election when to be held.

Of voting for officers.

Managers to continue in office until a new election.

Managers authorised to make by-laws.

Proviso.

SECT. 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 for the purpose of supplying the town of Loudoun with water, a company shall be organized to be styled and known by the name of the Loudoun town water company, by which name the said company shall have perpetual succession, and all the privileges incident to a corporation, and shall be capable of taking and holding the capital stock and the increase and profits thereof, and of enlarging the same by new subscription, if it shall be found necessary to fulfil the intent of this act, and of purchasing, taking, and holding to them, their successors and assigns, and of selling and transferring in fee simple, or for any less estate, such lands, tenements and estate, real or personal, as shall be necessary in the prosecution of their works, and of suing and being sued, and of doing every matter and thing which a corporation or body politic may lawfully do.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the stockholders of the said company shall meet on the second Tuesday of April in each and every succeeding year, on due notice having been given at least five days preceding the same, and shall elect three managers, one of whom shall act as treasurer, and in all elections for said managers, each stockholder shall be entitled to one vote for each share bona fide held by him not exceeding five, but no stockholder shall be entitled to more than five votes at any election, and no failure of election of officers on the day appointed, shall discontinue or dissolve the said corporation, but the managers shall continue in office until a new election, which shall be made at such time and place, and after such notice as the board of managers may prescribe, and it shall be the duty of the treasurer to give notice to the stockholders of the time and place of meeting, when such meetings shall be deemed necessary, and also to keep a book (for the purpose) where all accounts of the said company shall be regularly entered.

SECT. 3. *And be it further enacted by the authority aforesaid,* That the said managers or a majority of them shall have power to adopt such by-laws, rules and regulations as may be deemed expedient for the well governing the affairs of the company, and shall also have power to call special meetings of the stockholders whenever the same may be necessary: *Provided,* That such by-laws, rules and regulations

shall in no wise contravene the constitution and laws of this commonwealth.

SECT. 4. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said managers to proceed, and bring, introduce, and convey water into the town of Loudoun aforesaid, from such stream or spring as may be fixed on or purchased by the company for that purpose, by means of pipes, trunks, or aqueducts, and also to provide proper cisterns or reservoirs for the reception thereof, and for these purposes may enter into such lands and inclosures as may be necessary, and to dig, ditch, and lay pipes through the same, the company doing as little damage as possible to private property, and paying for whatever injury shall be done by them, when the parties cannot agree according to an assessment made by three disinterested freeholders, to be appointed on application by the court of common pleas in and for the county of Franklin, and who shall be duly sworn and affirmed, justly and truly to make such assessment, reserving, nevertheless, to all those who may be affected by the diversion of the water, or by laying trunks through their lands, the full effect of the conditions and reservations in their concessions already made, and the said company shall at all times, paying damages as aforesaid, have liberty to renew and repair the pipes wherever laid on and through private property, doing as little damage as possible, and also shall have liberty at all times to dig and lay pipes along roads and highways, and the streets and alleys of the town of Loudoun aforesaid, and to renew and repair the same, shutting up and amending any breach which they may respectively make as soon as possible, and it shall be lawful for them to make cisterns and reservoirs in the streets or public ground in the said town where it may be necessary.

Duty of the managers.

Damages to be paid.

SECT. 5. *And be it further enacted by the authority aforesaid,* That the said company shall have liberty at all times where the pipes shall be laid in and through any of the streets and alleys of the town aforesaid, to suffer individuals to be supplied with water for domestic or manufacturing use, for such reasonable compensation as shall from time to time be agreed on by the company, and such individuals according to certain uniform rates, which shall hereafter be adopted, having regard to the probable quantity of water which applicants are likely to consume.

Individuals may be supplied with water.

SECT. 6. *And be it further enacted by the authority aforesaid,* That the managers shall call in the subscription or capital stock by instalments, as the same may be required, and if any stockholder shall neglect after thirty days notice given at some public place or places, payment may be enforced as in other cases, and whenever the debts of the company shall be paid and the income shall exceed the expense of the same, the treasurer shall declare a dividend on the stock paid in, which shall be made payable at the time of holding their annual elections.

Penalty on neglecting to pay subscriptions.

Penalty on
injuring the
works, &c.

SECT. 7. *And be it further enacted by the authority aforesaid,* That if any person or persons shall wilfully destroy or injure in any manner, the pipes, cisterns, aqueducts, reservoirs, hydrants, or any of them, or any of the works of said company, erected in pursuance of this act, or shall wilfully corrupt, or otherwise render unwholesome, the stream of water which shall be conveyed and brought into the town of Loudoun, by the said company, he, she, or they, shall, on being thereof convicted before any justice of the peace, in and for the county of Franklin, by the oath or affirmation of one or more credible witnesses, pay a fine not exceeding twenty dollars, one half to the use of the poor of the county, and the other half to the informer, and shall moreover remain liable for all damages to the company.

JOHN GILMORE, *Speaker*
of the House of Representatives.

WILLIAM MARKS, Junior,
Speaker of the Senate.

APPROVED—March the thirty-first, one thousand eight hundred and twenty-one.

JOSEPH HIESTER.

CHAPTER CI.

AN ACT

To authorise an assignment of the concerns of the Philadelphia and Pittsburg Transporting company.

SECT. 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 court of common pleas of the county of Philadelphia, upon petition to them by any of the creditors of the Philadelphia and Pittsburg Transporting company, are hereby authorised and required to issue a citation to the managers of said company, requiring them to appear before the said court, and shew cause why the said managers ought not to assign over to assignees all books, vouchers or other writing, which are the evidence of any debt or debts due and owing to said company, and also all goods and chattels belonging thereto, for the use of the creditors of the said company.

The court to
issue a cita-
tion to the
managers, &c