

L A W S

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OF THE

GENERAL ASSEMBLY

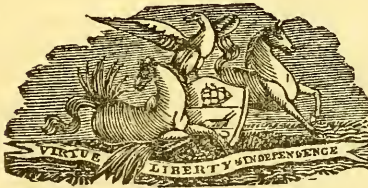
OF THE

COMMONWEALTH OF PENNSYLVANIA,

PASSED AT THE SESSION OF 1843,

IN THE

SIXTY-SEVENTH YEAR OF INDEPENDENCE.



PUBLISHED BY AUTHORITY.

HARRISBURG:

PRINTED BY M'KINLEY AND LESCURE.

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1843.

newspaper in Harrisburg, and one paper in the vicinity of the said bank, declaring its charter forfeited; and the said bank shall go into liquidation under the provisions of the act of the twelfth day of March, one thousand eight hundred and forty-two, entitled "An Act to provide for the resumption of specie payments by the banks of this commonwealth, and for other purposes."

Charter revo-
cation

SECTION 4. That the legislature hereby reserves the power to alter, revoke, or annul the charter of the said bank, whenever, in their opinion, it may be injurious to the citizens of the commonwealth, in such manner, however, that no injustice shall be done to the corporators thereof.

Repeal

SECTION 5. So much of any act or acts of assembly as are hereby altered or supplied, be and the same are hereby repealed.

HENDRICK B. WRIGHT,
Speaker of the House of Representatives.

B. CRISPIN,
Speaker of the Senate.

APPROVED—The eighteenth day of April, one thousand eight hundred and forty-three.

DAVID R. PORTER.

[No 147.]

AN ACT

To authorize the Commissioners of the incorporated districts of the county of Philadelphia to construct works for supplying said districts with water from the Schuylkill river.

Preamble

WHEREAS, It has been represented by the petitions of the board of commissioners of the incorporated districts of the county of Philadelphia, that a large portion of the district of Spring Garden cannot be supplied with water from the works of the city of Philadelphia, at Fairmount, the ground in some parts of the said district of Spring Garden being considerably above the level of said works; and that the said commissioners design to construct within the limits hereinafter mentioned, the necessary works for the purpose of supplying the inhabitants with water; 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 incorporated districts of the county of Philadelphia, be and they are hereby authorized and empowered to construct steam or other suitable works on or adjacent to the river Schuylkill, at any point between the south line of Coats street and the northern boundary of the said district of Spring Garden, or in such other suitable location as they may deem expedient, for the purpose of pumping up and supplying said districts and the inhabitants thereof with water from the said river, or such other stream of water in the vicinity of said districts, as may be found practicable: *Provided,* That no more water shall be taken from the said river or other stream than shall be required, for the purpose of affording the said works and the people of the aforesaid districts with a sufficient supply of water: *Provided,* That this act shall not go into effect, if the mayor, aldermen and citizens of Philadelphia shall, within three months from the passage of this act, reduce the water rents to the citizens of all the incorporated districts of the county of Philadelphia to the same amount as is now charged to the citizens of the city of Philadelphia; and hereafter shall not charge more for water rents in the incorporated districts than is charged to the citizens of the city of Philadelphia; and at no time shall the rents be increased beyond the present rates: *And provided further,* That a compliance with the foregoing proviso on the part of the mayor, aldermen and citizens of Philadelphia, shall not prevent any of the incorporated districts of the county of Philadelphia from taking water from the river Schuylkill, at any point below the Fairmount dam, or from any other stream they may deem expedient for the supply of their respective districts.

Construct works

Proviso

Water rents

Further proviso

SECTION 2. That the said incorporated districts shall have full power and authority to construct such reservoir or reservoirs for the reception of the said water, as they may deem expedient; and also, to lay such supply pipes from said river and works thereto, as may be requisite; and also, to lay such pipes of conduit from the said reservoir or reservoirs as may be found necessary to connect the same with any of the pipes of conduit already laid in the said districts: *Provided,* That all expenses incurred in the erection and completion of said works, shall be equally borne by said districts, except the expense of laying pipes to conduct the water from the reservoir, which shall be paid by the districts for whose supply such pipes shall be laid; and each of the aforesaid incorporated districts shall, annually, on the third Monday in the month of July, elect three suitable persons to be water com-

Reservoirs

Proviso

Expenses

missioners, who shall have the care of the erection, superintendence and management of said works, in such manner as may be provided by law and the ordinances of said districts; but all ordinances before going into effect, shall be approved by the accepting districts; and the annual cost of the management and repairs of said works shall be assessed on each of the accepting districts by the water commissioners, in proportion to the amount of water rents of each district; and the rates or prices for the use of the water shall be uniform throughout the accepting districts; and the water rents accruing from properties using the water shall be collected by the agents of, and belong to, the districts in which such properties are situated.

SECTION 3. That the said commissioners shall have full power and authority to open and grade any such street or streets laid down on the plan of said districts which it may be found necessary to open, for the purpose of laying such supply and distribution pipes to and from the said reservoir or reservoirs, and also, to vacate any part or parts of such streets as may interfere with the proper construction of the reservoir or reservoirs: *Provided*, That no more than two squares of any such street or streets shall be so vacated: *And provided further*, That upon the opening of the street or streets necessary for laying said pipes, the damages occasioned to the owners of private property by such opening, shall be assessed and paid by the commissioners of said districts out the funds raised for the erection of the aforesaid water works and reservoirs, according to the provisions of the acts of assembly now in force in the county of Philadelphia, for assessing and paying the damages for opening streets and highways.

SECTION 4. That in case any of the incorporated districts aforesaid shall neglect or refuse to accept the provisions of this law, within four months from the passage of the same, then the remaining districts shall be entitled to all the privileges granted by this act: *Provided*, That in case neither the commissioners of Northern Liberties nor the commissioners of Kensington, Southwark or Moyamensing, shall accept the provisions of this act, then the commissioners of Spring Garden shall enjoy all the aforesaid privileges, and have full power and authority to proceed to construct said works: *It being provided nevertheless*, That upon the application of the remaining incorporated districts of the county of Philadelphia, or either of them to be supplied with water for their respective districts from these works, the commissioners of Spring Garden shall be required to furnish them at the same rates which shall be charged to citizens of Spring Garden; but in no case shall the districts aforesaid be charged at higher rates

than are now charged within the city of Philadelphia: *Pro-Provido*
vided, That the expense incurred in laying pipes to conduct *Expenses*
the water from the reservoirs to connect with the pipes laid
in the several incorporated districts aforesaid shall be paid by
the district for whose use they may be laid: *Provided*, That
nothing contained in this act shall be so construed as to impair
any grant heretofore made by the commonwealth to the
Schuylkill navigation company.

HENDRICK B. WRIGHT,
Speaker of the House of Representatives.

B. CRISPIN,
Speaker of the Senate.

APPROVED—The eighteenth day of April, one thousand
eight hundred and forty-three.

DAVID R. PORTER.

[No. 148.]

AN ACT

To extend the charter of the Bank of Delaware County, and for other
purposes.

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 charter of the bank of Dela-
ware county be and the same is hereby continued and extended *Extended*
for the term of five years from the expiration of the
present charter, subject to the provisions imposed by this act,
and to all the provisions now imposed upon the said bank by
existing laws of this commonwealth; and also subject to
such further provisions as the legislature may hereafter think
proper to enact for the regulation of banking institutions.

SECTION 2. The total liabilities of the said bank, exclusive *Liabilities*
of deposits, shall not at any time exceed double the amount
of its capital stock paid in; nor shall the debts of every kind
due and to become due to the said bank, except debts due
from the government of the United States and the state of
Pennsylvania, ever amount to more than double its capital