

## CHAPTER LI.

*An ACT to incorporate the President and Directors of the Water Pipes in Aaronsburg.*

**W**HEREAS a number of the inhabitants of the town of Aaronsburg, in the county of Centre, have, by their petition represented to the legislature, that the use of a certain stream of water has been granted by Aaron Levy to the said town, if they would convey through the same, which they have done accordingly by wooden pipes, at a great expence, and that they experience much difficulty in equalizing the necessary contributions for maintaining and keeping the same in repair, as well as distributing the advantages of the water to the different parts of the said town, and to remedy which difficulty, they have solicited the interference of the legislature: Therefore,

SECT. 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,* That it shall and may be lawful for the inhabitants of the town of Aaronsburg in the county of Centre, who are freeholders or house-keepers in the same, to meet at the house of Samuel Miles, or any other house in said town, a majority shall appoint on the first Saturday of June next, between the hours of one and six of the clock of said day, and then and there to elect by ballot five citizens, who shall be resident in said town, and who shall be termed directors of the water pipes of Aaronsburg, and who shall serve as such but one year, unless they are re-elected, and the like number of directors as aforesaid, shall annually be elected on the first Saturday of June thereafter, in manner aforesaid; but previous to any election being held in pursuance of this act, the electors who may be present at the time of opening the same, shall appoint two citizens resident in the town to receive the tickets from persons qualified by this act to vote and to count the votes and certify the result of the election under their hands and seals, to the persons elected, and immediately after the said annual election respectively, the directors elected shall appoint out of their own body, a president and secretary; and in the absence of one or the other, their absence shall be supplied by pro tempore appointments; and in case any directors shall refuse to accept the appointments, or to enter upon the duties thereof, he shall pay a fine of ten dollars, to be recovered upon the complaint of any person, as debts of equal amount are or may be by law recoverable; and if any vacancy occurs in the directorship in any wise, it shall be immediately supplied by an election in manner aforesaid, upon notice given through advertisements by the president, fixed up at five of the most public places in the said town, at least five days previous to the election, which special election shall be held at the same place, and conducted in the same man-

Inhabitants of Aaronsburg to elect 5 citizens to be directors of the water pipes of said town annually, on the first Saturday of June.

Judges of the election to be appointed, and to give notice to the persons elected.

Directors to appoint officers.

Penalty on those refusing to serve.

Vacancies to be supplied by an election.

Directors  
made a body  
politic and  
corporate.  
Make bye-  
laws.

Enforce  
them by fines  
and penal-  
ties.  
Mode of re-  
covery.  
Bye-laws to  
be published.

Proceedings  
generally to  
be entered  
into a book  
open to in-  
spection.

Duties of the  
board.

Water pipes  
to be kept  
in good re-  
pair.

Privileges  
granted to  
inhabitants  
in certain  
cases.

Fines, &c. to  
be applied to  
meet expen-  
ces.

ner as the annual election under this act, and the said directors shall have perpetual succession by the name, style, and title of the president and directors of the water pipes of Aaronsburg, and under the same name and title they shall be, and are hereby made able and capable in law to sue and be sued, implead and be impleaded; and they, or a majority of them shall form a quorum for doing business; and they shall have power to make by-laws, and to appoint officers and agents necessary for carrying the object of this act into effect; not inconsistent with or repugnant to the constitution and laws of the United States or of this commonwealth, and from time to time to alter or abolish and enforce the same by certain fines and penalties, which shall be recovered by the president and directors, in the same manner as debts of equal amount are or may be by law recoverable; and the said by-laws shall be signed by the president, and countersigned by the secretary, which shall be immediately published after they are passed in at least six written or printed handbills, fixed up at as many of the most public places in the said town, and which shall also be recorded in a book to be provided for that purpose by the president and directors; and they shall also provide another book, in which they shall record the certificates of their election, and enter all their contracts; and the appointment of officers and agents and proceedings generally under this act, which book shall be kept by the secretary, and who shall submit them to the inspection of any of the inhabitants as aforesaid, at convenient hours when they apply for the same.

SECT. II. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the president and directors to have the water granted for the use of said town by Aaron Levy, conveyed in proper pipes through all the streets in the same, and to fix hydrants or fountain pumps at equal distances, with the diameter of the boxes proportioned to the population near their respective situations, so as the inhabitants thereof may have as equal opportunities as possible of being conveniently supplied with water; and they shall keep the water pipes and hydrants or pumps always in good repair, and renew the same as often as occasion may require; and if it should not in their opinion produce a scarcity of water in the streets, they may upon the application of any of the inhabitants of the town, grant permission to any of them at their own proper cost to lead part of the water by small pipes or conduits from the public pipes into their own houses or lots, but if it should be found that these pipes have produced a scarcity of water in any part of the town, or inconvenience to any of the inhabitants, the permission shall in such case be withdrawn, and the said small pipes be shut up.

SECT. III. *And be it further enacted by the authority aforesaid,* That all fines and forfeitures under this act, shall be paid to the president and directors, to be by them applied to defray the ex-

pences arising under the same ; in addition to which they shall have power from time to time to assess taxes for that purpose on the real and personal property in said town, agreeably to the latest valuation thereof, under the act for raising county rates and levies, and to collect the same, but the said tax or taxes shall not in any one year exceed one cent in the dollar of that valuation ; and the personal property of the occupant of the real property shall be liable for the taxes, and in case the occupant is a tenant, the landlord shall refund the same to him or her, but nothing in this act shall be construed to interfere with any agreement made between the landlord and tenant about the payment of taxes.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the president and directors shall yearly and every year give five days notice by advertisements, fixed up at not fewer than five of the most public places in the said town, to the inhabitants who are freeholders and housekeepers in the same, that they will at a certain time and place within the said town exhibit an account of their receipts and expenditures and proceedings during the year under this act, when and where as many of the freeholders and housekeepers as think proper may attend, which time shall not be more than ten nor less than two days, previous to the first Saturday of June in every year, and the freeholders and housekeepers as aforesaid, who may be present at the time of meeting, shall previous to their entering upon the examination or settlement of the accounts of the president and directors, nominate and appoint a chairman and secretary, to preserve order, and all objections to the accounts and official conduct of the president and directors then to be offered shall be addressed to the chairman, and also the defence of the president and directors, and if the said accounts and official conduct shall be approved by a majority of the freeholders aforesaid who may be present, it shall be so certified in the public books, in which their proceedings are entered and signed by the chairman and counter signed by the secretary, which shall be final and conclusive, but if a majority should not approve as aforesaid, then and in that case any person or persons who may think him, her or themselves aggrieved by any thing done in pursuance of this act, he, she or they may appeal to the next court of quarter sessions to be held for the proper county, upon giving security according to law, to prosecute his, her or their appeal with effect, and the court having taken such order therein as shall seem to them just and reasonable, the same shall be conclusive against all parties.

SECT. V. *And be it further enacted by the authority aforesaid,* That the nonuser of the powers herein given shall not work a forfeiture of them, but nothing herein contained shall be deemed

Property may be taxed, not exceeding one cent in the dollar upon the valuation.

Property to be liable for taxes, but agreements between landlord and tenant not to be affected. Exhibits of accounts to be made annually to the inhabitants.

If the conduct of the officers and their accounts be approved, to be so entered upon the books, if not, persons aggrieved may appeal to the proper court for redress.

Decision of the court conclusive.

or taken as a promise from the legislature not to repeal or abridge them at any subsequent period.

JAMES ENGLE, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-fifth day of March, one thousand eight-hundred and nine.

SIMON SNYDER.

CHAPTER LII.

*An ACT to enable the governor to incorporate a company to make an artificial road from the town of Hanover, in the county of York to the borough of Carlisle.*

SECTION 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,* That Jacob Metzgar, Samuel Fahnestock, John Hildebrand, Daniel Funk, Nimrod Maxwell, John Hersh, ———Blake, Peter Brough, Sebastian Heffer, ———Jenkins, ———Moore, George Ege, William Harkness, jun. James Nealy, John Arnold and Michael Slagle, be and they are hereby appointed commissioners to do and perform the several duties hereinafter mentioned, *that is to say,* They shall on or before the first Monday in November next, procure two books and in each of them enter as follows, “ We whose names are hereunto subscribed, do promise to pay to the president, managers and company of the Hanover and Carlisle turnpike road, the sum of one hundred dollars for every share of stock in said company, set opposite to our respective names, in such manner and proportions, and at such times as shall be determined by the president and managers of the said company, in pursuance of an act of the General Assembly of this Commonwealth, entitled “ An act to enable the Governor to incorporate a company for making an artificial road from the town of Hanover in the county of York, to the borough of Carlisle,” Witness our hands, the            day of

Commissioners appointed to open books and receive subscriptions.

Shares one hundred dollars each.

Notice to be given of the time and place of opening the books.

And shall thereupon give notice in three of the public newspapers, one in the town of Hanover, one in Carlisle, and one in Gettysburgh, and the borough of York, for one calendar month at least, of the times and places, when and where the said books shall be kept open to receive subscriptions for the stock of the said company, at which respective times and places some two of the said commissioners shall attend and permit and suffer all persons of lawful age who shall offer to subscribe in the said books in their own name or the names