

in the orphans' court of said county of Berks, such security for the faithful application of said money, as said court may require. Security to orphans' court.

FREDK. SMITH,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The second day of April, Anno Domini, one thousand eight hundred and thirty-one.

GEO. WOLF.

No. 185.

A FURTHER SUPPLEMENT

To the act, entitled "An act to erect Norristown, in Montgomery county, into a borough.

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 from and after the first Friday in May next, the election for the different officers of said borough, shall be held on the first Friday in March, in every year, at the same place and in the same manner, as prescribed by the provisions of the act of incorporation, to which this is a further supplement. Time of holding annual election.

SECT. 2. *And be it further enacted by the authority aforesaid,* That on the Tuesday next, after the election of the officers of said borough, the members of the town council elect, shall convene at some suitable place in said borough, shall then and there choose by ballot, one of their members as president, who shall serve for the ensuing year, or until another council be duly elected; and in case of the death, absence, resignation or inability, to act of the president, his place shall be supplied pro tempore until a new election, in manner aforesaid. President of council. Vacancy how supplied.

SECT. 3. *And be it further enacted by the authority aforesaid,* That in case of neglect or failure, to elect borough officers under the provisions of the act of incorporation, to which this is a supplement, at any time hereafter on the day appointed by law, it shall be the duty of the burgess or president of the town council, to give at least ten days public no- Case of failure to hold elections provided for.

fice, by twelve or more handbills, put up at the most public places in said borough, for an election to be held at any time within one month next, after the day appointed by the aforesaid act; and that the officers of the preceding year, shall continue to exercise their duties until said election shall be held, and the officers duly elected qualified.

9 members of
council. **SECT. 4.** *And be it further enacted by the authority aforesaid,* That hereafter the qualified electors of said borough, shall elect nine reputable citizens, to serve as members of the town council of said borough.

General duties, &c. of
council. **SECT. 5.** *And be it further enacted by the authority aforesaid,* That it shall be the duty of the town council, five of whom shall constitute a quorum, to hold meetings from time to time as occasion shall require, at which meetings they may revise, repeal or annul, all such by-laws or ordinances as have been heretofore made in the said borough, which are hereby declared to be in full force, until so revised, repealed or annulled, and enact such other by-laws, ordinances, and make such other rules and regulations, as shall be determined on by a majority of them, necessary to promote the peace, good order, benefit and advantage of the said borough, particularly of providing for the regulation of the markets, improving, repairing and keeping in order, and regulating the pavements, streets, roads, lanes, alleys and high ways, ascertaining and regulating the depths of vaults, sinks or pits, for necessary houses, and making permanent regulations and rules, relative to the foundation of buildings, party walls and fences; they shall have power to assess, apportion, and appropriate such taxes as shall be determined by a majority of them necessary for carrying the said rules and ordinances, from time to time, into complete effect; and also to appoint a town clerk, two persons to act as street and road commissioners, a treasurer, a clerk of the market, and a collector annually, and such other officers as may be deemed necessary from time to time, and the same officers from time to time remove for misconduct, neglect or misdemeanor in office: *Provided always,* That no by-laws, rule or ordinance of the said corporation, shall be repugnant to the constitution or laws of the United States, or of this commonwealth; and that no person shall be punished for a breach of a by-law or ordinance, made as aforesaid, until ten days have expired, after the promulgation thereof, in at least one English newspaper printed in said borough, and by twelve advertisements, to be put up in the most public places in the said borough: *And provided also,* That in assessing such tax, due regard shall be had to the valuation of taxable property, taken for the purpose of raising county rates and levies, and to the provisions of the said act of incorporation, so that the said tax shall not exceed a half cent in the dollar of such valuation, unless some object of general utility shall be thought necessary, in which case

Appointment
of town clerk,
treasurer, &c.

Proviso.
Of the by-
laws.

2d proviso
Relative to
the borough
tax.

it shall be the duty of the town council, to call a meeting of the citizens of said borough, and if said meeting or a majority thereof, shall approve of and certify the same to the town council, who shall proceed to assess the same accordingly.

SECT. 6. *And be it further enacted by the authority aforesaid,* That it shall be lawful for the said town council, to assess and collect a tax on all single freemen and inmates, resident in said borough, to be rated according to the provisions of the act, to which this is a further supplement, and of the act to raise and collect county rates and levies; and the said town council, shall further have the power and authority, to assess and collect on each and every dog and bitch, a tax to any amount, not exceeding seventy-five cents for each head, they may deem expedient and proper for the use of the corporation.

Tax on bachelors, inmates resident, dogs, &c.

SECT. 7. *And be it further enacted by the authority aforesaid,* That the burgess, president of the town council and treasurer, or any two of them shall constitute a court of appeal, and prior to the collection of any borough tax, they shall appoint a day for the hearing of appeals, of which and of the amount of his or her tax, and the place where the appeal will be held, the collector shall notify each taxable, by a written notice in the usual manner, at least ten days before the day of appeal: *Provided nevertheless,* That the said court of appeal shall have no other power, than to determine the justness of the apportionment of the said tax, and to remedy any grievance that may occur in imposing the same, and when the said tax shall have been properly adjusted, it shall be the duty of the burgess, or in case of his absence, neglect, refusal or inability to act, the president of the town council, is hereby authorised to issue his precept, directed to the collector, commanding him to collect all taxes so assessed, and vesting him with the like powers and authorities, given to the collectors of county rates and levies, by the laws of this commonwealth, and the amount so collected shall be paid into the treasury, for the use of the corporation.

Court of appeal.

Proviso. Power restricted.

Collection of tax.

SECT. 8. *And be it further enacted by the authority aforesaid,* That the burgess for the time being, shall take cognizance and have all the power, jurisdiction and authority, of justices of the peace within the said borough, for the suppression of riots, tumults and disorderly meetings, for the punishment of vagrants and disorderly persons, as well as in all other criminal cases, and in all cases of violations of the provisions of the act, to which this is a supplement, and the provisions of the several supplements thereto, or of the ordinances of said borough, which have been heretofore made, and may hereafter be enacted; and shall be entitled to the same fees, for like services, as justices of the peace are by law entitled to receive; and all attestations made by the burgess, with the seal of the corporation, shall be good evidence of the act or thing certified; and for the affixing of the seal to any

General powers, &c. of burgess.

In absence of burgess, president of council to act.

instrument, for other than borough purposes, he shall receive fifty cents; and in the absence, neglect, refusal or inability to act of the burgess, the president of the town council for the time being, shall have the same power, jurisdiction and authority, and he is hereby authorised and enjoined to carry into effect, all by laws and ordinances, enacted by the town council, and whatever else may be necessary, for the well ordering and good governing of said borough.

Election of constable.

SECT. 9. *And be it further enacted by the authority aforesaid,* That the qualified electors of said borough, shall annually at the place, and on the day and time appointed for the election of borough officers, in addition to the high constable, elected according to the provisions of the act, to which this is a further supplement, elect two citizens of said borough, and return the names of the persons so elected, to the next court of quarter sessions of said county, one of whom shall be appointed constable of said borough, in the same manner and with like power and authority, and subject to the same regulations and penalties, as are provided and contained in the laws now existing, or that may hereafter exist, concerning constables within this commonwealth: *Provided,* That the like notice for the election of said persons for constable be given, that is required for the election of borough officers.

Proviso.
Notice.

Powers of
constables.

SECT. 10. *And be it further enacted by the authority aforesaid,* That the high constable of said borough, shall have all the power and authority, vested by the laws of this commonwealth in the constables of the different townships in said county; and the constable elected and appointed as aforesaid, shall have full power and authority to execute any process, directed to the high constable of said borough, and is hereby authorised and enjoined, to do and perform all the duties required to be done, by the said high constable.

Corporation
authorised to
supply bo-
rough with
water.

SECT. 11. *And be it further enacted by the authority aforesaid,* That the corporation of the said borough be, and is hereby authorised and empowered, to introduce into said borough, a sufficient supply of Schuylkill, or other wholesome water, for the use of said borough, at the expense of said borough, for which purpose said corporation is hereby authorised to contract for such supply, with any individual or body corporate, as it may deem most expedient; and shall also be authorised to convey such supply by means of pipes, trunks, and aqueducts, and to provide proper cisterns or reservoirs, for the reception thereof; and for said purposes, said corporation may, by its artists and workmen, enter into such lands and enclosures, as may be necessary, and to dig, ditch and lay pipes through the same, doing as little damage as possible to private property, and paying for whatever injury shall be done by them; and when the parties cannot agree, the damages to be assessed by three disinterested citizens, to be appointed, on application, by the court of common pleas in said county of Montgomery, who shall be duly

Settlement of
damages, &c.

sworn and affirmed, justly and equitably to make such assessment; and the said corporation shall at all times, (paying damages as aforesaid) have liberty to renew and repair the pipes, trunks and aqueducts, whenever laid on and through private property, doing as little damage as possible; and shall also have liberty at all times, to dig and lay pipes along the roads and highways of said borough, and to renew and repair the same, closing up and amending any breaches which they may make, as soon as practicable.

SECT. 12. *And be it further enacted by the authority aforesaid,* That the corporation of the said borough is hereby authorised and empowered, to borrow any sum or sums of money, not exceeding ten thousand dollars, upon the faith and credit of said borough, to carry into effect the purposes aforesaid, and to apply so much of the taxes raised upon said borough, as may be necessary to the punctual payment of the interest of said loan. Authorised to borrow \$10,000.

SECT. 13. *And be it further enacted by the authority aforesaid,* That the corporation of said borough be, and is hereby authorised and empowered, to sell or rent the said water, to all and every person and persons, who may be disposed to purchase the same, upon such terms as may be agreed upon; the rents and proceeds of which shall be for the use and benefit of said borough. To sell or rent water.

SECT. 14. *And be it further enacted by the authority aforesaid,* That any person, who shall wilfully destroy or injure, in any manner, the pipes, aqueducts, cisterns, reservoirs, buildings, or machinery, or any of them, or any of the works of the said corporation, erected in pursuance of this act, or shall wilfully corrupt or render unwholesome, the water which shall be carried and brought into said borough, by the said corporation, shall, on being thereof convicted in the court of quarter sessions of the peace of said county of Montgomery, pay a fine not exceeding one hundred dollars, one half to the use of the borough, and the other half to the informer, or be sentenced to undergo an imprisonment in the jail of said county, for any term not exceeding six months, at the discretion of said court, and shall be liable for all damages sustained by the corporation. Penalty, &c. on doing wilful injury to property of corporation.

SECT. 15. *And be it further enacted by the authority aforesaid,* That so much of the act of incorporation of said borough, and the several supplements thereto, as may be altered and supplied by the provisions of this further supplement, be, and the same is hereby repealed. Repealing clause.

FREDK. SMITH,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The second day of April, Anno Domini, one thousand eight hundred and thirty-one.

GEO. WOLF.