

No. 10.

AN ACT

To change the time of holding the courts in Union county.

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 from and after the first day of February next, the regular terms of the courts of Union county shall commence and be holden on the third Mondays next following the fourth Mondays in April, August, November and January, to continue two weeks, if necessary.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of January, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 11.

AN ACT

Supplementary to an act to incorporate the president and directors of the water pipes in Aaronsburg.

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 and may be lawful for the inhabitants of the town of Aaronsburg, in the county of Centre, who are freeholders, housekeepers or others, exercising the right of suffrage, to meet at the house of Jacob Snyder, 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 o'clock, P. M., 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 March 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

President, &c.

Vacancy.

Special election.

Name.

Powers.

Quorum.

By-laws, officers,
&c.

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, 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 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 being given through advertisements by the president, fixed up at five of the most public places in the town, at least five days previous to the election, which special election shall be held at the same place, and conducted in the same manner, as the annual election under this act; and the directors 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 or otherwise, 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.

Duty of president
and directors.

SECTION 2. 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, fountain pumps, and a sufficient number of cisterns to contain the waste water, to be used in cases of fire and for other purposes, at equal distances, with 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, hydrants, pumps or cisterns 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 and 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.

SECTION 3. That all fines and forfeitures under this act, shall be paid Fines, &c. to the president and directors, to be by them applied to defray the expenses arising under the same; in addition to which they shall have power from time to time to assess taxes for that purpose, in the following Taxes. manner, to wit: On each male taxable inhabitant in said town, the sum of sixty-two and a half cents yearly; but if the proceeds of the moneys arising from such taxation, be not sufficient to defray the expenses for which they are intended to be applied to, then an additional tax, agreeably to the latest valuation, under the act for raising county rates and levies, shall be assessed on real and personal property in said town, not in any one year to exceed one cent in the dollar of that valuation, and to be collected and applied in like manner as aforesaid; 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.

SECTION 4. That it shall be the duty of the president and directors of Ladders, hooks, the water pipes of Aaronsburg, to procure, as soon as convenient, a sufficient number of ladders, hooks and pikes, and to be kept in some &c. central part of the town, in a dry and public place selected for the purpose, to be used in case of fires, but for no other purpose, and as near to and as convenient to the fire engine, now the property of said town, as possible; which ladders, hooks, pikes and fire engine, shall at all times be kept in good repair by the president and directors of the water pipes; and the expenses of such repair shall be paid out of any moneys arising from such taxation, as is prescribed in the foregoing sections of this act.

SECTION 5. That the president and directors shall yearly, and every Receipts and ex- year, give five days notice, by advertisements, fixed up at not fewer than penditures. five of the most public places in the said town, to the inhabitants who are freeholders, housekeepers or others, exercising the right of suffrage 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, housekeepers and others, exercising the right of suffrage, 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, housekeepers and others, exercising the right of suffrage as aforesaid, who may be present at the time of the 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 countersigned 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 or her or themselves aggrieved, by any thing done in pursuance of this act, he, she or they, may appeal to the Appeal. 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.

Non-user, forfeiture, &c. SECTION 6. That the non-user of the powers herein given, shall not work a forfeiture of them; but nothing herein contained shall be deemed or taken as a promise from the legislature not to repeal or abridge them at any subsequent period.

Repealing clause. SECTION 7. That the acts of assembly passed on the twenty-fifth of March, Anno Domini one thousand eight hundred and nine, on this subject, which are altered and supplied by the passage of this act, to which this is a supplement, are hereby repealed.

JAMES ROSS SNOWDEN.

Speaker of the House of Representatives.

WILLIAM BIGLER,

Speaker of the Senate.

APPROVED—The twenty-ninth day of January, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 12.

AN ACT

Relative to the sale of the real estate of John Matheys, deceased.

Preamble. WHEREAS, Jacob Slough, late of Montgomery county, Pennsylvania, deceased, who died in the year 1826, intestate, leaving a widow named Catharine, and seven children, viz: Jacob Slough, Margaret, intermarried with Jonas Rambo, Elizabeth Slough, Joseph Slough, Catharine Slough, Sarah Slough and Rebecca Slough, all of whom were then of full age, was, at the time of his death, seized in fee simple of a certain messuage and tract of land, situated in Norriton township, in the county aforesaid, containing one hundred acres, and one hundred and twenty-two perches, more or less.

AND WHEREAS, In consequence of the personal estate of the said Jacob Slough, deceased, not being sufficient to pay his debts, the said Catharine Slough, widow, and Jonas Rambo and Margaret, his wife, Elizabeth Slough, Joseph Slough, Catharine Slough, Sarah Slough and Rebecca Slough, children aforesaid, by letter of attorney, bearing date the first day of August, 1826, duly executed and recorded in said county, did constitute and appoint Jacob Slough and Mathias Brumback the administrators of the said Jacob Slough, deceased, their attorneys in fact, with full authority to sell said messuage and tract of land, at such price as a majority of them should approve, and in their names to execute a good and sufficient deed for the absolute conveyance of the premises to the purchaser in fee simple; and out of the purchase money of said premises, to pay the debts of the intestate, and distribute the