

laying out such road, street, lane or alley, shall be held to be null and void.

Authority to exchange house and lot on conditions.

SECTION 7. If any person or persons shall erect and put up a brick building, with stone basement, of at least the same length and height as the said Norristown academy, and ten feet wider, or one equally capacious, in a substantial and workmanlike manner, and finish the same with an appropriate exterior, suitable for an academy, upon a lot or piece of ground suitably situated for an academy, and fronting on Airy street, or on De Kalb street, or on the south-east side of Sweede street, between the Quaker burial and meeting house land and Egypt street, or on the north-east side of Egypt street, between Stoney creek and Walnut street, containing at least two-thirds of the quantity of the present academy lot, and shall execute a good and clear title for such building and lot or piece of land, in fee, clear of all incumbrances, to the trustees of the said Norristown academy, for the trusts for which they shall hold the present academy and lot, and deliver possession thereof, the said trustees shall, in consideration thereof and in exchange therefor, execute a deed of conveyance for the present academy and academy lot, to the grantors of the said new building and lot, in fee simple, and such person, his heirs and assigns, shall hold the said academy and lot, free and discharged from all rights and claims whatsoever; but no such deed of conveyance shall be made until the court of common pleas shall appoint three competent and disinterested persons, to view and examine the said new academy and lot of land proposed to be exchanged for the academy and lot, and they shall report in writing that such building has been erected of the dimensions and in the manner above mentioned, and that it would be for the advantage of the academy to receive such new building and lot in exchange, as aforesaid, and the said court shall approve of the same.

Court to sanction exchange.

FINDLEY PATTERSON,
Speaker of the House of Representatives.
JNO. B. STERIGERE,
Speaker of the Senate.

APPROVED—The sixteenth day of April, one thousand eight hundred and forty-five.

FRS. R. SHUNK.

No. 345.

AN ACT

To incorporate the Shaefferstown water company.

Preamble.

WHEREAS, Alexander Shaeffer, and Anna Engle, his wife, by their indenture, under their hands and seals duly executed, bearing date the sixteenth day of July, Anno Domini, one thousand seven hundred and sixty-three, for the consideration therein mentioned, granted and confirmed a certain tract of land, situate in the town of Heidelberg, county of Lebanon, together with a leading spring on the same, unto George

Ulrich and Frederick Albright, then trustees and overseers of said leading spring and tract of land, and their successors in office for ever, by deed recorded in the recording office of Lebanon county, in deed book F, page three hundred and eighty-two, for the use of the inhabitants of Market street, of the town of Heidelberg, now called "Shaefferstown;" the inhabitants of said Market street prayed for an act of incorporation, for the better management of said leading spring and tract of land.

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 Incorporated. the inhabitants of said Market street, Shaefferstown, and their successors, be and they are hereby created one corporation and body politic in law, by the name and style of "Shaefferstown water company." Name.

SECTION 2. That the said corporation, by the same name and style Privileges and shall have perpetual succession, and be able to sue and to be sued, plead powers. and be impleaded in all courts of law and elsewhere, and shall be able and capable in law and in equity to take, purchase, hold, and to receive to them and their successors in trust, for and to the use of said company, lands, water-courses, tenements, goods and chattels of whatsoever kind, nature or quality, real, personal or mixed, which is now, or shall or may at any time hereafter become the property of the said company, or be held for the use of said company by gift, grant, bargain, sale, conveyance, devise, bequest or otherwise, from any person or persons whomsoever capable of making the same, and the same to grant, bargain, sell, mortgage, improve or dispose of for the use of the said corporation, if necessary, to erect, alter or enlarge any building, consistent with the improvement of the leading spring or other property belonging to the corporation, as may be directed by a majority of the members qualified to vote by the third section of this act, that may be present at a meeting to be held for that purpose, of which said meeting at least Meeting. ten days notice shall be given, by four printed or written handbills, put up at the most public places of said Market street, and adopt all such measures as may be lawful and necessary for the well being of the said corporation: *Provided*, That the yearly value or income of said estates Proviso. shall not any time exceed three thousand dollars.

SECTION 3. No more than one person in the same house, in said Votes. Market street, shall constitute a member of this corporation, and a qualified voter: *Provided*, That such person or persons be qualified to vote at general elections, and is entered on the poll list of this corporation six days prior to an election.

SECTION 4. The business of the company shall be conducted by a Officers. president, secretary, treasurer, and two fountain overseers, who shall be elected annually by ballot; the treasurer shall give ample security on Of treasurer. his accepting the office, if required by the corporation, and shall receive and account for all moneys coming into his hands belonging to the corporation, and shall have his accounts annually settled by the fountain overseers, to be laid before and approved of by the company, at their annual elections for officers.

SECTION 5. The following named persons shall serve as officers until Officers pro tem- others are elected, as is hereinafter provided, viz: George Renner, pre- pore. sident; George F. Miller, secretary; Henry Iba, treasurer; Thomas Bender and John Staly, fountain overseers; to continue in office until the third Saturday in April, Anno Domini, one thousand eight hundred and forty-five, on which day the qualified voters of the company shall elect the required officers who shall serve for one year, and shall annually thereafter hold their election for officers on said day, by notice Annual elections. given of such an election, as provided for in the second section of this

Proviso.

act: *Provided*, If the company neglect, on the day of holding their annual election, to hold their election as is herein directed, the said corporation shall not be dissolved, but may appoint any subsequent time to hold the same, subject to notice as is hereinbefore provided.

Regulation of supply.

SECTION 6. The water of said leading spring or springs shall continue to discharge at the points of the present fountains, in manner following, that is: At the lower fountain shall discharge one-third of the whole water, and the upper fountain shall discharge two-thirds of the whole water, the vents or spouts of the fountains shall at no time be stopped; the fountain overseers shall have power to regulate the water of said fountains as is herein directed.

Of loans.

SECTION 7. The president, secretary, and fountain overseers of this corporation, shall have power to contract debts or loans of money, not exceeding five hundred dollars, for the purpose of repairing or improving the fountains, leading spring or springs, or any other property belonging to the corporation, and to levy a water tax not exceeding one hundred dollars a year upon the members of the company, according to the quantity of water used by said members, and to collect such water tax as may be levied: *Provided*, The majority of the members of the corporation shall direct them so; the aforesaid officers shall be under oath or affirmation, when engaged as is herein directed.

Proviso.

By-laws, &c.

SECTION 8. The said corporation, and its successors, shall have power at all times to make by-laws, and such rules and regulations as may be deemed necessary for the well being of the corporation, and to alter, revoke and amend the same, from time to time, as shall be sanctioned by two-thirds of the members thereof, to be decided by ballot, by notice given as provided for in the second section of this act; and the corporation shall also have power to make, use, and have a common seal, and the same to break, alter and renew at pleasure; but such by-laws and ordinances shall not in any manner interfere with, alter, or affect the rights of any one qualified to vote by the third section of this act, nor contain any thing repugnant to the provisions of this charter, the constitution and laws of the United States, or of this commonwealth.

Seal.

Restrictions.

Revocation.

Construction.

SECTION 9. The charter of this corporation may at any time be altered and amended by the legislature, if desired by two-thirds of the members thereof: *Provided however*, That nothing in this charter shall be so construed as giving said company any banking privileges.

FINDLEY PATTERSON,

Speaker of the House of Representatives.

JNO. B. STERIGERE,

Speaker of the Senate.

APPROVED—The sixteenth day of April, one thousand eight hundred and forty-five.

FRS. R. SHUNK.