

estate, unless otherwise disposed of by the agreement of parties interested.

Execution of writ.

SECTION 2. In executing the writ of partition, the sheriff and inquest shall have power to divide the property into such number of purparts as shall appear to them most convenient and advantageous, without regard to the number of parties in interest, and to value each purpart.

Costs.

SECTION 3. The costs in partition shall be paid by all the parties in proportion to their several interests.

Service of summons, how made.

SECTION 4. The service of the summons in partition and of notice of the inquisition shall be made by the sheriff on all the parties resident in the county where the land lies, personally or by copy left at their place of abode, at least twenty days before the return day of the writ, or the day of taking the inquisition, and on parties residing out of the county by publication, in such newspaper, as the court may direct, for six weeks previous to said days, the costs of such publication to be paid out of the estate.

JAMES THOMPSON,
Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,
Speaker of the Senate.

APPROVED—The eleventh day of April, one thousand eight hundred and thirty-five.

GEO: WOLF.



No. 126.

An Act

Providing for the further improvement of the State by rail-roads and canals.

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 following sums be and hereby are specifically appropriated for the following purposes respectively, to wit: for the payment of the expenses of the contracts made for the completion of the following public works, as authorized to be completed by an act passed on the fifth day of April, one thousand eight hundred and thirty-four: for the Philadelphia and Columbia rail-way, \$110,600. Alleg. Port. r. \$146,600. Lycom'g line (canal,) Lewisburg & B. Eagle s. cuts, \$47,000.

Lewisburg and Bald Eagle side cuts, forty-seven thousand dollars: for the Wyoming line of the North Branch division of the Pennsylvania canal and the Lackawanna feeder, forty thousand five hundred dollars: to pay contracts for new work upon finished lines, to wit, the completion of the Swatara feeder, weigh locks and houses for collectors and weigh masters; to purchase and improve lock house lots, to build fences, for the commencement of a reservoir near Johnstown, and for the payment of the canal commissioners, their secretary and office expenses, appraisers, superintendents and resident engineers, one hundred thousand dollars: for the repair of canals and rail-ways during the present year, two hundred thousand dollars: for the payment of damages, thirty thousand dollars.

Wyoming li.
and Lackaw.
feed. \$40,500.
To pay cont s
for new work,
&c. \$100,000.

For repairs,
\$200,000.
For damages.
\$30,000.

SECTION 2. It shall be and hereby is made the duty of the canal commissioners to construct a towing path along the pool of the feeder dam at Dunnstown, and to continue the slack-water navigation up the West Branch of the Susquehanna river as far up the said branch as to a point opposite the mouth of Tangascootac creek: *Provided*, The two hundred thousand dollars, part of the sum in this act contemplated to be expended in connecting the public improvements with Erie, be not borrowed, and for the payment of the expenses incurred thereby there is hereby appropriated the sum of eighty thousand dollars.

C. commis's
to construct a
towing path.

Provisu.

SECTION 3. The said canal commissioners shall not be authorized to incur any debt on the faith of the Commonwealth in any way or manner beyond the appropriation aforesaid: *And provided*, That no part of the loan shall be applied to any other than the several specific purposes to which it is appropriated by this act, nor shall any contracts be entered into for any new line of canal or rail road not mentioned in this act, or for any extension of the lines herein named beyond the limits prescribed by this act.

C. commis's
unauthorized
to contract
any debt be-
yond approp.
Provisu.

SECTION 4. The sum appropriated to the payment of damages by the first section of this act, is to be paid as speedily as possible in the order as to time in which the said claim for damages may have been awarded, assessed and confirmed, and afterwards to such as may hereafter be awarded, assessed and confirmed, and may be agreed upon as due by prior acts.

Payment of
damages
regulated.

SECTION 5. The Governor is hereby authorized to borrow at an interest not exceeding five per cent. per annum, on the credit of the Commonwealth and on such funds as have been or shall be created for securing the punctual payment of the interest and the reimbursement of the principal, the sum of one million one hundred and fifty-nine thousand six hundred dollars, payable in instalments in such manner as he may designate in proposals for said loan, of which the sum of one million ninety-nine thousand six hundred dollars shall be paid to and be vested in the commissioners of the internal improvement fund, and shall be applied to the payment of the contracts necessary to be made to complete the works directed to be constructed by this act specifically, as

Governor
authorized to
borrow, on
credit of Com.
\$1,159,600.

How to be
applied.

aforesaid, and to pay the temporary loan authorized by act of February twenty-seven, one thousand eight hundred and thirty five, and sixty thousand dollars of said loan shall be applied, under the direction of the Governor, to repay the loan due to the Bank of Montgomery county, on the first of May next :

Proviso.

Reimburs'ble after 1st July, 1865. *Provided*, That no engagement shall be entered into which shall preclude the Commonwealth from reimbursing the said loan at any time after the first day of July one thousand eight hundred and sixty-five.

How collect'g of tolls shall deposite moneys collect'd

SECTION 6. The State Treasurer is hereby authorized to direct the collectors of tolls on the canals and rail-roads of this Commonwealth to deposit their moneys in such banks as he may from time to time deem expedient.

JAMES THOMPSON,
Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,
Speaker of the Senate.

APPROVED—The thirteenth day of April, one thousand eight hundred and thirty-five.

GEO : WOLF.

No. 127.

An Act

To open the streets, roads, lanes and alleys in a certain portion of the township of Moyamensing and for fixing the lines and descents of the water courses of all the streets, roads, lanes and alleys in said township, 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 Jacob J. Snyder, James Graham and Andrew Kilpatrick, citizens of the township of Moyamensing and county of Philadelphia, be and they are hereby appointed commissioners, who or any two of whom taking to their assistance a competent surveyor, shall have full power and authority, and are hereby enjoined and required to survey the streets, lanes, alleys and roads already laid out, and within the southern part of the said township, commencing at the south side of Federal street at its intersection with Passyunk road, continuing along the south eastern boundary of said township to its intersection with Moyamensing road along the eastern side of said road to Buck lane, along the said Buck lane to the western boundary of said township, thence to its intersection with Federal street aforesaid,

Commis'ners.

Their duties.