

by a majority of the votes of the stockholders themselves at a general or special meeting.

SECTION 7. Dividends of so much of the profits of the institution as shall appear advisable to the board, shall be declared at least twice in every year, and paid to the stockholders on demand at any time after the expiration of ten days therefrom, but they shall in no case exceed the amount of the nett profits actually acquired, so that the capital stock shall never be impaired thereby, and if the board shall make any dividend which shall impair the capital stock, the president or managers consenting thereto shall be liable in their individual capacities to the company for the amount of the stock so divided, and each of the board present shall be considered as having consented unless he forthwith enters his protest on the minutes of the board and give public notice thereof to the stockholders.

Semi annual
declaration of
dividends.

SECTION 8. The aforesaid corporation shall continue for twenty years after the passage of this act: *Provided always*, That if the said company shall at any time misuse or abuse any of the privileges hereby granted, or if the institution in any way shall hereafter become prejudicial to the Commonwealth, the Legislature reserve the right to resume all or any of the privileges herein granted to the said company.

20 years'
duration.
Proviso.

Legislative
right.

JAMES THOMPSON

Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini eighteen hundred and thirty-five.

GEO: WOLF.

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No. 172.

An Act

Authorizing the laying out of a State road from Shippenville, in Venango county, to Ridgeway, in Jefferson 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 Daniel Ryner and James Hassen of Venango county, and William Armstrong of Jefferson county, be and are hereby appointed commissioners to view, lay out, and mark a State road beginning at the town of Shippenville in Venango county, thence

Commis'ners
to lay out a
State road.

by the nearest and best route to Ridgeway in the county of Jefferson.

Duties of
commiss'ners

SECTION 2. It shall be the duty of the said commissioners, or a majority of them appointed, to view as aforesaid, after having been sworn or affirmed before some justice of the peace, who shall file and preserve the same in his office, to perform the duties enjoined on them by this act, with impartiality and fidelity, carefully to view the ground over which the road by them laid out may pass, and lay out the same as near to a straight line between the aforesaid points, as the nature of the ground and circumstances will permit, and so that the vertical departure from a horizontal line shall in no point exceed five degrees, except at the crossing of ravines and streams, where by moderate filling and bridging the declination of the road may be preserved within that limit; and further, it shall be the duty of said commissioners to have due regard to the crossing of waters, the nature of the ground and damages to private property, and all other circumstances that may affect the route, so that by a judicious combination of them, the route adopted may best promote the public good, and that they shall clearly and distinctly mark upon the ground the route agreed upon in such manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties by this act enjoined, the commissioners herein mentioned shall receive a per diem allowance of one dollar and fifty cents each for every day they shall be necessarily employed in performing the duties of this act, together with the necessary provisions while locating the same; and in case any of the said commissioners shall perform the duties of surveyor, he shall receive fifty cents per day in addition; and the said commissioners are hereby authorised to employ one surveyor, at one dollar and fifty cents per diem, two chain bearers and one axe-man at a per diem allowance, not exceeding seventy-five cents.

Per diem
allowance.

Drafts of
road to be
made out.

Where
deposited.

SECTION 3. It shall be the duty of the said commissioners to make out a fair and accurate draft of the location of said road, noting thereon the courses and distances as they occur, the improvements passed through, and also the crossing of county and township lines, roads and waters, with such other matters as may serve for explanation, one copy whereof shall be deposited in the office of the Secretary of the Commonwealth, on or before the first day of September next, and one copy in the office of the clerk of the court of Quarter Sessions of the respective counties through which the said road may pass, on the day aforesaid, or as much sooner as practicable which shall be a record thereof, and from thenceforth the said road shall be to all intents and purposes a public highway, and shall be opened and repaired in all respects as roads are opened and repaired, which are laid out by orders of the courts aforesaid.

Accounts of
commiss'ners
how paid.

SECTION 4. The accounts of the said commissioners for their own pay, and for the pay of surveyors, chain carriers, markers

and provisioners, shall be adjusted by the commissioners of the respective counties through which said road shall pass, and paid by the treasurers thereof on warrants drawn in the usual way, in proportion to the length of the road in such county respectively.

SECTION 5. The said commissioners shall meet on or before the first Monday in May next, or as soon thereafter as practicable at such places as a majority of them shall agree upon and complete the location of the said road as soon as practicable, and if any vacancy or vacancies shall happen by resignation or any other cause, any two of them shall constitute a board and proceed to discharge the duties enjoined on them by this act.

Commis'ners.
when to meet

SECTION 6. The court of Quarter Sessions of Venango county, shall have power to vacate all or any part of the State road leading from Shippenville, in Venango county, to Titusville, in Crawford county, laid out pursuant to the act of Assembly, passed April fourteenth one thousand eight hundred and thirty-four, so far as the same lies in said county, and order a review of the same as fully and in the same manner as the said courts is authorized to do in cases of county roads if they shall deem said review or order of vacation necessary.

Court of Q. S.
of Venango
co. power to
vacate cer'n
State road.

SECTION 7. The president and managers of the Snow Shoe and Packersville turnpike road company, shall be and are hereby authorized to receive land in subscription to the stock of the company and to dispose of the same for the purposes of the said company, and to issue their certificates of stock to the amount of the nett proceeds thereof to such subscribers.

Snow Shoe
and Packers-
ville turnpike
rd authorized
to rec'v land
in subscript'n

SECTION 8. And the president and managers of the said company are hereby authorized and empowered to borrow any sum not exceeding five thousand dollars, and as security for the said sum, to pledge the nett amount of tolls that may be received upon said road, after defraying the expenses of repairs; and it shall be lawful for the president, managers and company of the Snow Shoe and Packersville turnpike road, to commence the eastern end of their road, at any point on the Milesburg and Smethport turnpike road between Snow Shoe and the point where the east branch of Wallis' run crosses the same, and to terminate the west end of their road at any point on the Susquehanna and Waterford turnpike road between the Susquehanna Bridge and Luthersburg.

Authorized to
borrow any
sum not ex-
ceed'g \$5000.
Nett amount
of tolls
pledged as
security for
said sum.
When to
commence &
terminate.

SECTION 9. Joseph Morris and Andrew Geyer, trustees under the will of Peter Ozeas, late of the city of Philadelphia, deceased, be and they are hereby authorized and directed to sell in fee simple, within three months from the passage of this act, all those two yearly rent charges or ground rents issuing out of lots of ground, situated on the north side of Mulberry street, between Eighth and Ninth streets, in the said city, one of two hundred and forty dollars per annum, payable by Hugh Cooper, and the other one hundred and fifty-six dollars per annum, pay-

J. Morris and
A. Geyer
authorized to
sell under the
will of P.
Ozeas, dec.

able by Samuel Williams; and also all that other yearly rent charge or ground rent of sixty-six dollars per annum, issuing out of a lot of ground on Cherry street, between the said Eighth and Ninth streets, in the said city, and to execute, sell, deliver and acknowledge preter assurances and conveyances therefor to the purchaser or purchasers thereof; and after paying the incumbrances thereon, to pay and distribute the surplus of the proceeds of such sale or sales agreeably to the direction of the late will and testament of the said Peter Ozeas, deceased: *Provided always*, That before the proceeds of such sale or sales shall be received by the said Joseph Morris and Andrew Geyer, the said trustees shall enter into bonds with proper security for the faithful disposition of the same, to the satisfaction of the Orphans' Court of the county of Philadelphia.

Proviso.

Commissioners
of Southwark
authorized to
extend and
widen Moyamensing road
&c.

SECTION 10. And the commissioners of the district of Southwark, in the county of Philadelphia, are hereby authorized to extend and widen Moyamensing road, from the north line of Prime street to the south side of Washington street, a distance of about fifty-eight feet, to the same width that the same road now is between Prime and Wharton streets, and the damages, if any, accruing to the owners of property for the same, shall be assessed and paid in like manner as is provided by the existing laws of this Commonwealth, for streets in said districts.

Southwark r.
road company
authorized to
construct steam
or team boats

SECTION 11. That the Southwark rail road company be authorized to construct and own steam boats or team boats to connect the trade of said rail road and West Philadelphia rail road.

JAMES THOMPSON,
Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini, eighteen hundred and thirty-five.

GEO: WOLF.

No. 173.

A Supplement

To an act, entitled An act to incorporate the Norristown, Berks and Lehigh rail-road company, and to extend the time of taking subscriptions of stock to the Brown's mills, Sankey's-Gap and Alexandria turnpike road company, 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 any number not less than five of the commissioners