

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

named in the act to which this is a supplement, shall have full power and authority at any time within three years from the passage of this act, to do and perform the several things mentioned to be done by said commissioners in said act, and that the time for the commencement of the work of said company is hereby extended to four years from the passage of this act, and for the completion of one track of rail-road to six years from the date hereof.

5 Commiss.
authorized to
act.

Commence-
ment of work
extended 4
years.

SECTION 2. John Zeiber, Daniel Jacoby, William Schall, John Friedley, James M. Pawling, of Montgomery county, are hereby appointed commissioners in addition to those named in the aforesaid act.

Additional
commissioners

SECTION 3. The said company in place of laying rails on the said road may construct the surface thereof with stone, gravel or other materials of proper hardness for the exclusive use of steam engine; motive power and the said company shall have the same power and privileges as were granted to the Mine Hill and Schuylkill Haven rail road company, by the seventh section of the act passed the third of April, one thousand eight hundred and thirty-two, entitled A supplement to the several acts incorporating the Northern Liberties and Penn township rail-road company, the Mine Hill and Schuylkill Haven rail-road company, the president and managers of the Danville and Pottsville rail-road company, the Mount Carbon rail-road company, the Little Schuylkill navigation rail-road company, the Little Schuylkill and Susquehanna rail-road company, and to the several supplements thereto.

Instead of
rails, comp.
may con-
struct with
stone, &c.

Same power
granted as to
the Mine Hill
and Schuylk.
Haven r. road
&c.

SECTION 4. The said company shall have power to survey, locate and construct said rail-road upon the most eligible route from Norristown, connecting with the Philadelphia and Norristown rail-road, to any point on the Lehigh between Bethlehem and Allentown; and the managers of the said company may be re-elected by the stockholders as often as they think proper, and so much of the act to which this is a supplement as is hereby altered or supplied is hereby repealed.

Power to
survey, locate
and construct

SECTION 5. The time allowed the commissioners under the act incorporating a company for making a turnpike road from Brown's mills, in Mifflin county, through Sankey's Gap, to Alexandria, in Huntingdon county, to open the books and to receive subscriptions of stock to said company, is hereby extended to the first day of June, eighteen hundred and thirty-six.

Turnpike r'd
from Brown's
mills to
Alexandria,
time to open
books ext'nd'd

SECTION 6. The president, directors and company of the Marietta, Bainbridge, Falmouth and Portsmouth turnpike road company, are hereby authorized to demand and collect from travellers and others, on such parts of the road as may from time to time be completed, agreeably to the act to which this is a supplement, the same rates of tolls in proportion to the distance that the Lancaster and Middletown turnpike road company are permitted to collect, agreeably to their act of incorporation,

Marietta,
Bainbridge,
Falmouth &
Portsmouth
turnpike road
authorized to
take tolls.

passed on the fifth day of March, one thousand eight hundred and four.

SECTION 7. Peter Livergood and John Mathews of Cambria county, George Mulhollan, Jr. Henry Graff, James Taylor, Leonard Shryock, Archibald Mathews, John Huey and James Elliot, of Indiana county, be and they are hereby appointed commissioners to do and perform the several things hereinafter mentioned, that is to say, they shall on or before the first Monday of September next, procure two books or more, and in each of them enter as follows: "We whose names are hereby subscribed do promise to pay to the president and managers of the Armagh and Johnstown turnpike road company, the sum of fifty dollars for every share of stock in said company, set opposite to our respective names, in such manner and proportions, and at such times as shall be determined by the president and managers of said company in pursuance of an act of the General Assembly of this Commonwealth, entitled An act to authorize the Governor to incorporate a company for making a turnpike road from the borough of Armagh, in Indiana county, to the borough of Johnstown, in Cambria county. Witness our hands the day of _____ in the year of our Lord, one thousand eight hundred and _____;" and thereupon shall give notice in two or more of the public papers printed nearest the route of the said road, for twenty days at least of the time and places when and where the said books shall be opened to receive subscriptions for the stock of the said company, at which time and places one of the said commissioners shall attend and permit and suffer all persons of lawful age, who shall offer to subscribe in said books in their own names, or in the name or names of any other persons who shall authorize the same, for any number of shares of stock; and the said books shall be kept open respectively, for the purposes aforesaid, at least six hours in every juridical day, for the space of six days, or until the said books shall have two hundred shares therein subscribed; and if at the expiration of the said six days, the books aforesaid shall not have the said number of two hundred shares therein subscribed, the commissioners respectively, may adjourn from time to time, and transfer the said book from place to place, until the whole number of shares shall be subscribed, of which adjournment and transfers, the commissioners aforesaid, shall give such public notice as the occasion may require; and when the whole number of shares subscribed, shall amount to two hundred, the same shall be closed: *Provided always*, That every person offering to subscribe in said books, in his own or any other name, shall previously pay to the attending commissioner or commissioners, the sum of two dollars for every share to be subscribed, out of which shall be defrayed such incidental charges and expenses as may be necessary for taking such subscription, and the remainder shall be paid over to the treasurer of the corporation, as soon as

Commis'ners.

Form of
subscription.

200 Shares.

Proviso.

the same shall be organized, and the officers chosen as herein-after mentioned.

SECTION 8. When twenty persons or more shall have subscribed one hundred shares of the stock, the said commissioners respectively may, or when the whole number of shares aforesaid shall be subscribed, they shall certify under their hands and seals the names of the subscribers, and the number of shares subscribed by each to the Governor of this Commonwealth, whereupon it shall and may be lawful for the Governor by letters patent under his hand and the seal of the State, to create and erect the subscribers, and if the subscription be not full at the time, then those who shall afterwards subscribe to the number aforesaid, into one body politic and corporate, in deed and in law, by the name, style and title of the President and Managers of the Armagh and Johnstown turnpike road company, and by the said name, the subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation, and shall be capable of taking and holding the said capital stock and the increase and profits thereof, and of enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the intent of this act; and of purchasing, taking and holding to them and their successors and assigns, and of selling, transferring and conveying in fee simple, or for any less estate, all such lands, tenements, hereditaments and estate real and personal; as shall be necessary to them in the prosecution of their works, and of suing and being sued; and of doing all and every other matter and thing which a corporation or body politic may lawfully do.

SECTION 9. The commissioners aforesaid as soon as conveniently may be after the said letters patent shall be sealed and obtained, shall give public notice in two of the public papers printed nearest the route of the said road, of a time and place by them to be appointed, not less than twenty days from the publication of the first notice, at which time and place the said subscribers shall proceed to organize the said corporation, and shall choose by a majority of votes of the subscribers by ballot, to be delivered in person or by proxy duly authorized, one president, six managers, one treasurer and such other officers as may be necessary to conduct the business of said company for one year, and until such other officers be chosen, and shall and may make such by-laws, rules, orders and regulations not inconsistent with the constitution and laws of the United States and this Commonwealth as shall be necessary for the well ordering the affairs of the said company: *Provided always*, That no person shall have more than ten votes at any election or in determining any question arising at such meeting whatever number of shares he may be entitled to, and that each person shall be entitled to one vote for every share by him held under that number.

Charter may issue upon subscription of 100 shares.

Style and title.

Organization of company.

Proviso.

Power to
locate, &c.

SECTION 10. It shall be lawful to and for the said president and managers, their superintendents, surveyors, artists and chain-bearers, to enter in and upon all and every the lands, tenements and enclosures in, through and over which the said intended turnpike road may be thought proper to pass, and examine the ground most proper for the purpose as well as the materials in the vicinity that may be necessary in making and constructing the said turnpike road, and to survey, lay down, ascertain, mark and fix such route or track for the said road, as in the best of their skill and judgment will combine shortness of distance with the most practicable ground, and generally they shall have like powers, authorities and privileges necessary for carrying on and completing the said turnpike road, and be subject to all the duties, qualifications, restrictions, penalties, fines and forfeitures, and be entitled to like tolls and profits in proportion to the distance, as are given and granted to the president and managers and company of the Stoystown and Greensburg turnpike road, in and by an act of Assembly of this Commonwealth, passed the ninth day of March, Anno Domini, eighteen hundred and fourteen.

Privileges &
liabilities
same as is
granted to
Stoystown &
Greensburg.

Width of
road, &c.

SECTION 11. The president and managers of the said road shall make or cause the same to be made not less than forty nor more than fifty feet in width, and at least eighteen feet thereof shall be made an artificial road in the following manner, to wit: all the timber shall be taken out by the roots and removed from the road, which shall, where the original location is level or nearly so, be at least two feet higher in the centre than at the sides; it shall be well and sufficiently ditched so as to carry off the water, and to keep the road in its foundation firm and dry; it shall be constructed of firm and substantial materials, composed of wood, gravel, stone, slate, sand or other hard substance, such as the nature of the ground along which the road may pass will admit of, so as to secure a solid foundation, a smooth and firm surface, and a well made permanent highway, and so nearly level in its progress that it shall in no place rise or fall more than will form an angle of five degrees with a horizontal line: *Provided*, That if in the opinion of the said president and managers any part of the ground on the route of said road shall be so hard and compact as to make a good road without any covering of wood, gravel, stone, slate or other hard substance, the said president and managers are hereby authorized to construct such part of said road without any such covering and shall keep the said road in perfect order and repair.

Proviso.

Commence in
2 and finish
in 5 years.

SECTION 12. If the said company shall not proceed to carry on the said work within two years after the passage of this act or shall not within five years thereafter complete the same according to the true intent and meaning of this act, then or in either of those cases all and singular the rights, liberties, privileges and franchises hereby granted shall revert to the Commonwealth.

SECTION 13. The election for president, treasurer and managers of said company shall be annually on the second Monday of January.

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. 174.

An Act

Establishing and altering certain election districts, 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 from and after the passage of this act, the borough of Easton, in the county of Northampton, shall for the purposes of voting at elections be divided into two wards, as follows, viz: All that part of the said borough lying south of Northampton street, and the road commonly called the Nazareth road, shall constitute one ward, and be called Lehigh ward, and the remainder of the said borough lying north of the said Northampton street and Nazareth road, shall constitute another ward and be called Bushkill ward. Borough of Easton divided in two wards.

SECTION 2. At all general and special elections within the said borough, separate ballot boxes shall be provided for the separate reception of the votes of each ward, and every voter shall vote only at the particular ballot box or boxes of the ward within which he resides. Special elections.

SECTION 3. And the electors of the aforesaid ward shall, under the regulations that are or may be prescribed by the general laws of this Commonwealth in relation thereto, choose one inspector for each of the said wards. Electors to choose one inspector for each ward.

SECTION 4. And the said inspectors shall meet at eight o'clock in the morning of the day appointed for holding the election at the court house in said borough, and shall then and there in conjunction with the other inspectors of the district choose five qualified voters, one from each township and ward, who shall act as judges of the said election, who shall perform all the When inspectors shall meet.