

iron T rails, for the distance of ten miles, within one year from Harrisburg, the first day of June next, and on the remaining distance of Portsmouth, said road within two years from the first day of June afore- Mountjoy and said, then this act shall not go into operation; but all the Lancaster rights, franchises and privileges hereby granted shall cease, and determine as effectually as if this act had not been passed. railroad

WM. A. CRABB,

Speaker of the House of Representatives.

JN. H. EWING,

Speaker of the Senate

APPROVED—This seventh day of May, A. D. eighteen hundred and forty-one.

DAVID R. PORTER.

[No. 135.]

A N A C T

To Incorporate the trustees of the township of Huntington, in the county of Luzerne, and for other purposes.

WHEREAS the original proprietors of the township of Huntington, one of the seventeen townships, in the county of Luzerne, surveyed and laid out certain lots of land in said township, and appropriated the same for schooling purposes of the said township, and since the year one thousand eight hundred and ——— committees have been appointed by the resident propeirtors of said township, to take care of and lease or sell said lots of land: *And whereas*, the commissioners appointed under the act offering compensations to Pennsylvania claimants, passed the fourth day of April, seventeen hundred and ninety-nine, and the supplements thereto, issued certificates to the committees for the time being for the said lots in trust for the use of the proprietors of said township, and the said committees have from time to time sold and conveyed the greater part of said lots, reserving the proceeds thereof, for the purposes of education in said township, but in as much as the said committee were not vested with the legal titles, the sales and conveyances made by them, are invalid: *And whereas*, the debts due the respective proprietors, have increased to a considerable amount, and cannot be recovered unless an act of incorporation be granted to the said proprietors, they have therefore prayed that the sales and conveyances made by the said committees, may be confirmed, and that an act of incorporation may be granted by the legislature. Therefore,

Preamble

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 all sales and contracts heretofore made by the committees of the proprietors of the said township of Huntington, of and concerning lands originally appropriated to the public use of said township, be and the same is hereby confirmed as fully and amply as though the said committees had been vested with the legal title, at the time of making such sales and contracts.

SECTION 2. That the inhabitants of the certified township of Huntington, in the county of Luzerne, being owners of land within the same, and all who may hereafter own land within the said township, are hereby authorized to meet on the first Saturday of December next, and on the same day in every year thereafter, at the place of holding the general elections in said township, then and there between the hours of two and six o'clock, in the afternoon, to elect by ballot a treasurer and a secretary, and three persons as trustees for the said township of Huntington; two reputable citizens shall act as judges of said election—who shall first be sworn or affirmed to conduct said election with impartiality and fidelity—and the persons having the highest number of votes for the respective offices, shall be declared duly elected; and the said treasurer, secretary and trustees, shall constitute a body corporate and politic, in law and in fact, by the name and style of the Proprietors of the township of Huntington, and by the said name shall have perpetual succession, and shall be able and capable in law of purchasing, taking to them and their successors, to the use of the proprietors of said township, lands, tenements, hereditaments, real, personal and mixed, and of selling, and transferring, and conveying the same in fee simple or for any less estate, and of suing and being sued, pleading and being impleaded, and doing any other act, matter or thing, which a body corporate or politic may awfully do: *Provided,* That said incorporation shall at no time hold property exceeding in value ten thousand dollars.

SECTION 3. That the said treasurer, secretary and trustees shall transact the business of said corporation, and shall continue in office one year, or until others shall be elected, and notice of the time and place of holding the annual election shall be given by the treasurer or secretary, or either of the trustees, at least six days previous to the day fixed by the second section of this act, by advertisements set up in four of the most public places in said township, and in case of death, resignation or removal from the said township of either of the said officers, the vacancy may be supplied by the persons then in office, until the next annual election, as prescribed in the second section of this act: *Provided,* That in case of

Former contracts and sales confirmed

Annual election of treasurer, secretary and trustees

Corporate name

Power & Privileges

Proviso

Notice of election

Proviso

death, removal, resignation or refusal to act after being elected, of all or any of the members of the said corporation, the privileges, powers and franchises hereby granted, shall not lapse or become void, but whenever persons shall be elected as herein provided, to fill said offices; and said powers, privileges or franchises of said corporation, shall revert in persons so elected.

SECTION 4. That all conveyances or other instruments of writing to be binding on said corporation, shall be signed and sealed by the trustees respectively for the time being, or by a majority thereof; but the said trustees shall never appropriate to any purpose nor expend more than the clear yearly income of lands, tenements, debts or other personal estate belonging to said corporation, without a resolution of a majority of the taxable inhabitants of said township; and who are landholders, who may meet upon notice given by any of the corporators.

SECTION 5. That immediately after the passage of this act, the interest in all lands, tenements and hereditaments, real and personal, and in all debts, dues and demands of whatsoever name or nature, which shall belong to the proprietors of the said certified township of Huntington, or which may be vested in any committee or committees, or any person or persons, for the use of the said proprietors, shall vest in the said corporation.

SECTION 6. That until the election of officers of the said corporation, as provided for in section second, Elias Dodson, John Koons and Ezra Chapin, the present trustees, who were elected by a township meeting in the month of December last, shall be vested with the powers of trustees, under this act, and who shall perform all the duties required to be performed by the officers of said corporation, until such election as aforesaid be held, and any suit or suits already commenced by any committee or committees of said township, or any other person having had the charge of the business of said proprietors of said township, may be prosecuted to a final determination, and all judgments already obtained may be recovered by and for the use and at the expense of the said corporation.

SECTION 7. That the streets, lanes and alleys, in the town of Heidlersburg, in the county of Adams, are hereby declared to be public highways, subject to all the provisions of the several acts of assembly, relative to roads and highways.

WM. A. CRABB,

Speaker of the House of Representatives.

JN. H. EWING,

Speaker of the Senate.

APPROVED—The seventh day of May, one thousand eight hundred and forty-one.

DAVID R. PORTER.