

the nineteenth day of February, Anno Domini, one thousand eight hundred and forty-nine, as may be applicable to said inclined plane.

SECTION 4. That the capital stock of said company shall consist of four hundred shares, of twenty-five dollars each, and the said company, at any meeting of the stockholders called for the purpose, shall have power to increase the same to an amount sufficient to finish and carry on said improvements: *Provided, however,* That the Governor of this Commonwealth is hereby authorized to grant said company letters patent in the manner prescribed in the second section of said act regulating turnpikes and plank roads, when ten persons or more shall have subscribed ten per centum on the capital stock: *And provided further,* That when that portion of said turnpike road lying between the Monongahela river and the brow of Coal Hill shall be finished, the said company may collect toll for travel thereon, and said portion shall be made as near an angle of four degrees with a horizontal line as the ground will permit.

Capital stock.

Proviso.

Proviso.

JOHN S. RHEY,
Speaker of the House of Representatives.

JOHN H. WALKER,
Speaker of the Senate.

APPROVED—The thirteenth day of February, one thousand eight hundred and fifty-two.

WM. BIGLER.

No. 48.

AN ACT

Appointing commissioners to run and mark the boundary line between Lancaster and Lebanon counties.

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 Allen P. Heibshman, of the county of Lebanon, and John B. Erb, of the county of Lancaster, be, and they are hereby appointed commissioners, with authority to survey, ascertain and mark the dividing line between the counties of Lebanon and Lancaster.

Commissioners to ascertain the line between Lancaster and Lebanon counties.

SECTION 2. That it shall be the duty of said commissioners, after having first taken and subscribed an oath or affirmation before a justice of the peace to perform the duties enjoined on them by this act with impartiality and fidelity, to go upon the ground and carefully survey, ascertain, and mark the dividing line between the counties of Lebanon and Lancaster, from a chestnut tree marked for a corner between the counties of Lebanon, Lancaster, and Berks, to the intersection of the dividing line of the counties of Lebanon and Dauphin.

Duties of commissioners.

SECTION 3. That it shall be the duty of said commissioners to survey the said line dividing the counties of Lebanon and Lancaster aforesaid, and to mark the same upon the ground by distinct and permanent

Further duties.

landmarks wherever and as often as the said division line crosses a public road or highway, and at other convenient distances on the aforesaid line.

Drafts to be
filed.

SECTION 4. That it shall be the duty of said commissioners to make out drafts of said survey, certified under their hands, with courses and distances plainly laid down, with references to the improvements through which the said line may pass, together with reports of their proceedings, and to file a copy of such draft and report in the office of the clerk of the Court of Quarter Sessions in each of the counties of Lebanon and Lancaster within one year from the date of the passage of this act.

Compensation.

SECTION 5. That the said commissioners shall receive as compensation for their services the sum of three dollars per day, each, while actually engaged in the discharge of their duties, and shall have authority to employ two chain-carriers, an axe-man, and other necessary assistants, and to incur any other expenses that may be necessary to carry out the intentions of this act; said chain-carriers, axe-man, and other assistants shall receive for their services the sum of one dollar per day, each, while actually engaged on said survey; and all the aforesaid expenses shall be divided equally between and paid out of the treasury of each of said counties of Lebanon and Lancaster, and if any vacancy shall occur in said board of commissioners, the remaining commissioner is hereby authorized to fill the same: *Provided*, That said vacancy be filled by a citizen not of the same county as the said remaining commissioner.

Fine for injury
to land marks.

SECTION 6. That if any person or persons shall remove, destroy, deface, or in any manner injure any of the aforesaid landmarks, every such person or persons so offending, and being legally thereof convicted before any justice of the peace or alderman within this Commonwealth, shall, for every such offence, forfeit and pay the sum of twenty dollars, one-half thereof to be paid to the informer, and the other half to the support of the poor of such county where such offender or offenders may reside when committing the act, together with costs of prosecution, and in default of payment, such person or persons shall be imprisoned in the county jail not exceeding thirty days for the first offence, and sixty days for the second: *Provided*, That either of the parties shall have the right of appeal in the same manner as in civil cases.

Proviso.

JOHN S. RHEY,
Speaker of the House of Representatives.

JOHN H. WALKER,
Speaker of the Senate.

APPROVED—The thirteenth day of February, one thousand eight hundred and fifty-two.

WM. BIGLER.