

wealth, passed the twenty-ninth day of March, Anno Domini, eighteen hundred and four.

SECT. 5. *And be it further enacted by the authority aforesaid,* That 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 there-^{Dimensions, materials, &c. of road.} of 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 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; and the said president and managers shall erect bridges, with sufficient abutments and piers, over all the streams of water crossing the said road, and shall keep the said road and bridges in perfect order and repair.

SECT. 6. *And be it further enacted by the authority aforesaid,* That if the said company shall not proceed to carry on the said work within two years after passing this act, or shall not within five years thereafter complete the same, ^{Time of commencement and completion.} 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.

FREDK. SMITH,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The twenty-fifth day of January, A. D. one thousand eight hundred and thirty-one.

GEO. WOLF.

—*—
No. 25.

AN ACT

To revive and continue in force the several acts of assembly incorporating the town of Birmingham, in the county of Huntingdon.

WHEREAS, by the thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twen-

ty-first, twenty-second and twenty-third sections of an act of assembly, passed the fourteenth day of April, Anno Domini, one thousand eight hundred and twenty-eight, entitled "An act erecting the towns of Allegheny, Birmingham, Franklin and Northumberland into boroughs, and to give effect to the act incorporating the borough of Elizabethtown, in the county of Lancaster," the town of Birmingham, in Huntingdon county, was erected into a borough, under the name, style and title of the "borough of Birmingham:"

Preamble. *And whereas,* The thirteenth section of the act aforesaid was altered and amended by the first section of an act, passed the twenty-third day of April, Anno Domini, eighteen hundred and twenty-nine, entitled "An act supplementary to an act incorporating the town of Birmingham, in the county of Huntingdon, into a borough, and to incorporate the Lancaster water company, and for other purposes," so far as respected the appointment of borough constable, and defining his duties: *And whereas,* The inhabitants of said borough have represented to the legislature, that "they conceive their act of incorporation, with the supplement thereto, null and void, owing to the neglect of the proper officer of said borough, on the second Tuesday of April last, not holding an election for borough officers," agreeably to the provisions of the same, and praying that the said act and supplement thereto be revived and continued in force, and that the inhabitants of said borough may be allowed to hold their borough elections on the second Tuesday of March, instead of the second Tuesday of April, as provided in the said recited act:

Therefore,

SECT. 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 thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second and twenty-third sections of the act, passed the fourteenth day of April, Anno Domini, one thousand eight hundred and twenty-eight, entitled "An act erecting the towns of Allegheny, Birmingham, Franklin and Northumberland into boroughs, and to give effect to the act incorporating the borough of Elizabethtown, in the county of Lancaster," and the first section of the act, entitled "An act supplementary to an act incorporating the town of Birmingham, in the county of Huntingdon, into a borough, and to incorporate the Lancaster water company, and for other purposes," be and they are hereby revived and continued as the same were in force on the second day of April last, past, except that it shall be lawful for the inhabitants of said borough, qualified to vote, to hold their election for borough

Certain sections of former acts revived.

Time of election changed.

officers on the second Tuesday in March, ins tead
second Tuesday in April, in each year.

FREDK. SMITH,
Speaker of the House of Representatives.

WM. G. HAWKINS,
Speaker of the Senate.

APPROVED—The twenty-fifth day of January, A. D. one
thousand eight hundred and thirty-one.

GEO. WOLF:

No. 26.

AN ACT

Reviving an act incorporating the borough of Waynesburg, and changing
the name thereof to Waynesboro':

SECT. 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 act, entitled "An act to repeal an act incorporating the borough of Waynesburg, in the county of Franklin, and for other purposes," passed the thirtieth day of March, one thousand eight hundred and twenty-four, be and the same is hereby repealed; and the act, entitled "An act to incorporate the town of Waynesburg, in the county of Franklin, into a borough, and for other purposes," passed the twenty-first day of December, one thousand eight hundred and eighteen, be and the same is hereby revived and re-enacted, in all its parts, except so far as regards the limits contained and described in the first section, which shall be as follows: Beginning at a stone standing on the lands of John Flanagan, and running with the same and others north sixty-one and one fourth degrees, west two hundred and four perches to a stone, standing on the lands of Henry Funk; thence with the same, John Hess, and others, south twenty-eight and three fourth degrees, west one hundred and seventy-eight perches, to a stone, standing on a line between Andrew Baker and John Gilbert; thence with the same, Thomas Walker, and others, south sixty-one and a fourth degrees, east two hundred and four perches, to a post, standing on the lands of John Clayton; thence with the same, and others, north twenty eight and three fourth degrees, east one hundred and seventy-eight perches, to the place of beginning.

Former acts
revived:

Except boro'
limits, which
are given.