

same, and the other half for the use of the poor of the township in which the offence was committed.

SECTION 14. That it shall not be lawful for any person or persons to catch, take, or destroy trout in the Kishacoquillas creek. in the county of Mifflin, between the fifteenth of July, in every year, and the fifteenth day of April of the following year, in any way whatever, unless where the course of such stream shall be private property; in which case, the same may be done with the consent of the owners thereof. Trout not to be caught in Kishacoquillas creek Mifflin co.

SECTION 15. Any person offending against the provisions of this act, shall, on conviction thereof, before any justice of the peace of the said county, forfeit and pay a fine of five dollars for the first offence, with all costs and charges, and for the second offence twenty dollars, with like costs and charges, to be recovered by suit, in the name of the commonwealth, before such justice: the one-half to be for the use of the informer or informers, who shall prosecute for the same, and the other half for the use of the poor of the township in which the offence is committed. Penalty.

WM. HOPKINS,

Speaker of the House of Representatives.

EB. KING-BURY, Jr.

Speaker of the Senate.

APPROVED—The thirteenth day of June, A. D., eighteen hundred and forty.

DAVID R. PORTER.

[No. 253.]

A N A C T

To incorporate a company in the borough of New Castle, to be called the New Castle Fire company, in the county of Mercer, 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 William B. Miller, Daniel M'Connell, R. Wallace, G. Barlow, James Mitchell, W. M. Clymonds, J. B. Love, T. M'Cleary, Robert Cochran, William Watson, Company incorporated.

Warren Carpenter, John Wilson, Jos. T. Boyd, Jacob Baker, R. W. Stewart, James Watson, George Hudson, S. W. Swift, Michael Carman, Alexander Newell, L. L. McGuffin, Johnston Wilson, William Cox, Samuel Cochran, H. R. Greaves, White McMillen, John Frazier, Joshua Logan, John Keck, J. S. Quest, Joseph B. Williams, A. Robinson, William McMillen, Joseph Kissick, and such other persons as now are or may hereafter become members, shall be and they are hereby created and declared to be one body politic and corporate, by the name, style and title of the "New Castle Fire Company," and by the same name shall have continual succession, and be capable in law to sue and be sued, plead and be impleaded, defend and be defended in any court of record or elsewhere, and to make, have and use one common seal, and the same to alter or renew at pleasure, and generally to do, perform or execute all and every matter and thing as to them shall or may appertain to do.

Name and
style.
Privileges and
franchises.

Seal.

Meetings.

By-laws.

Proviso.

Yearly in-
come limited
Fundamental
articles.

Officers.

Fines.

Of removal &
expulsion.
Proviso.

SECTION 2. That the said incorporated company shall assemble and meet at such times and places as they now have or may hereafter agree upon, to establish and put in execution all such by-laws, rules, ordinances and regulations as to them shall seem conducive to the interest of the said company, and necessary to the good government and orderly management thereof, the same not being contrary to this charter, the constitution and laws of the United States or of this commonwealth; and that they are hereby made able and capable in law to have, purchase, receive, possess, enjoy and retain to them and their successors, lands, tenements, rents, annuities, or other hereditaments, and the same to grant, devise, alien or dispose of in such manner as they may judge proper: *Provided*, That the said corporation or body politic shall not at any one time hold or possess property, real, personal or mixed, exceeding the sum of one thousand dollars per annum.

SECTION 3. That the following shall be the fundamental articles of said company.

ARTICLE I.

The officers of the company shall consist of a president, vice president, treasurer, secretary, four engineers and five directors, who shall be elected by ballot, at such time as may be provided for in the by-laws.

ARTICLE II.

Each member shall be liable to such fine and contribution as the by-laws may prescribe, and his resignation of membership shall not be accepted until his dues are paid or remitted.

ARTICLE III.

Any member may be removed from office, or expelled from the company for neglect of duty or a violation of the by-laws, by a vote of two-thirds of the members present: *Provided*, He is afforded an opportunity of making a defence before the company.

SECTION 4. That the commissioners of the county of Lancaster shall hereafter have power, whenever they may deem it necessary, to require from the collectors of county tax, which are now in office or shall hereafter be appointed, but have not given security for the faithful execution of their appointment, such bail as they shall consider sufficient security for all monies which may or have come into the hands of such collector or collectors, by virtue of his or their appointment, and for a faithful execution of his office in the manner prescribed by law.

SECTION 5. That in cases where collectors of county tax, in the county of Lancaster, have given bail or security, but such bail or security shall, after the appointment of the collector to office, appear to the commissioners of the county of Lancaster to be insufficient, then such commissioners shall have power to require such additional security as they may deem necessary.

SECTION 6. That whenever the commissioners of Lancaster county shall deem it necessary that bail should be given as aforesaid, by collectors that have given no bail, or that additional bail should be given by collectors, then the said commissioners shall cause a notice to be served upon such collector, requesting him to appear before them at any time after the expiration of ten days from the time the notice is served upon such collector, to shew cause why such bail should not be given; and if such collector appears, or if he fails to appear on the day and time fixed, and after notice has been legally served upon him as aforesaid, and the commissioners shall deem it necessary that bail should be given as aforesaid, then they shall make an order accordingly, and have a copy of such order served upon such collector, and if such collector shall refuse to give such security or additional security as shall be approved of by the said commissioners, within ten days after such notice has been served upon him, the commissioners may, after proof of the legal service of such notice, and after the expiration of the time aforesaid vacate and annul the appointment of such collector, and after doing so to give notice thereof to such collector, and also publish information thereof for at least four weeks, in at least three English and one German newspaper published in the county of Lancaster; and if any payment of taxes shall be made to such collector, after the notice or order as aforesaid has been published for the space of four weeks, the payment of such tax shall be considered null and void.

SECTION 7. That after the appointment of such collector shall be vacated or annulled, as aforesaid, by the said commissioners, and proof that notice thereof had been served upon

Commrs. of Lancaster co. may require security of collectors of taxes

Where insufficient bail has been given, commrs. may require additional.

Notice to be served on collectors to give security.

Upon refusal of collectors to give security commrs. may annul appointment.

Notice and publication of. Payment of taxes to collectors.

Proceedings to obtain warrants.

rant and duplicate from collector.

such collector, they may represent the same to the Judge of the Court of Common Pleas of Lancaster county, who at the instance of said commissioner shall grant a rule upon such collector to show cause why he should not surrender to the said commissioners the warrant and duplicate which had been placed in his hands for the collection of taxes, aforesaid, which rule shall be made returnable, not less than ten nor more than fifteen days from the time the same is obtained; and eight days notice at least of the rule and the time and place of hearing shall be given to such collector, and if such collector fails to appear before said court, after proof of legal notice of such rule, the court shall make such rule absolute, and if he appears and the court shall, either upon the confession of the collector or after hearing, decide that the said rule should be made absolute; in either event they shall also make an order that the warrant and duplicate shall be delivered up to the commissioners, and if the collector refuses to comply with such order, the same shall be enforced by the said court by attachment.

Penalty.

Collector after being notified that his appointment has been vacated not to collect taxes.

SECTION 8. That if any collector, as aforesaid, shall after being notified that his appointment and office has been vacated as aforesaid, collect any of the said taxes or county rates or levies mentioned in his duplicate, such collector shall be deemed guilty of a misdemeanor, and upon conviction thereof in the court of General Quarter Sessions of the peace of said county of Lancaster, such collector thus convicted shall be sentenced to undergo an imprisonment in the jail of said county for a term not less than one month and not exceeding six months, and to pay a fine, not exceeding five hundred dollars. Whenever notice is required to be served upon a collector, as aforesaid, such service shall be considered sufficient, if left at the dwelling-house of such collector, and if his place of dwelling is not known, to the commissioners, and if he cannot be found in the county of Lancaster, the service of such notice shall be by publication in three English and one German newspaper for two successive weeks; but in such an event the collector shall be allowed double the time to do any act that may be required of him, as aforesaid, as is allowed in the foregoing section.

Penalty.

Notice.

Where collector refuses to give additional bail.

SECTION 9. That when a collector has given bail, but refuses to give the additional bail as aforesaid, none of the proceedings, as aforesaid, shall in any way release or discharge such bail from the acts of the collector, or in any way impair the obligation of such security, neither shall it affect the liability of the collector in any case whatever, whether bail or security has been given by him or not; and whenever the office of such collector shall be vacated, as aforesaid, the

Comms. may appoint.

commissioners of said county shall fill his place by another appointment.

WM. HOPKINS,
Speaker of the House of Representatives.
 EB. KINGSBURY, Jr.
Speaker of the Senate.

APPROVED—The thirteenth day of June, one thousand eight hundred and forty.

DAVID R. PORTER.

[No. 254.]

A N A C T

To authorize the Lewisburg and Jersey Shore Turnpike Road and Bridge Company, to erect gates and receive tolls, 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 it shall be lawful for the president, managers, and company, of the Lewisburg and Jersey Shore turnpike road and bridge company, to erect gates and receive tolls on any part of said road, where two or more miles of the said road are completed, subject, however, to the restrictions and provisions of said act of incorporation, except so far as is hereby altered in regard to the distance of said road, which must be first made before any gates are erected.

To receive tolls when two miles are completed.

SECTION 2. That it shall and may be lawful for the commissioners of the county of Armstrong to appropriate out of the funds in the treasury of said county, a sum of money not exceeding five hundred dollars, to assist in the construction of a bridge over Buffaloe creek, at the place where the Freeport and Butler road crosses said creek: *Provided,* If such appropriation be made, all persons residing in the said county of Armstrong shall be allowed the privilege of passing over said bridge free of toll.

Comms of Armstrong
 county to appropriate
 \$500 to bridge
 over Buffaloe creek.

SECTION 3. That the jurisdiction of the State of Pennsylvania, is hereby ceded to the United States of America, for

Jurisdiction of Pennsylv. ced-