

common pleas of Schuylkill county, be and the same is hereby repealed.

SECTION 22. That the stockholders of the Hazleton Coal Company are hereby authorized to elect nine directors at the next, and at all future elections for directors in the same manner as is prescribed in their act of incorporation, for holding elections for directors, and a majority of the said nine directors shall be a quorum for transacting business.

JAMES ROSS SNOWDEN,

Speaker of the House of Representatives.

WILLIAM HIESTER,

Speaker of the Senate.

APPROVED—The twenty-seventh day of July, one thousand eight hundred and forty-two.

DAVID R. PORTER.

[No. 127.]

AN ACT

To provide for the ordinary expenses of the government, payment of the interest upon the State debt, receiving of proposals for the sale of the public works, 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 the state treasurer shall be and is hereby authorized, empowered and required to apply and pay out so much of the interest fund as may be necessary to meet demands on the treasury, under the requisition of law, fund to the various purposes designated by the specific acts of assembly, under which such requisitions shall be made, (except the interest guaranteed to railroad and navigation companies.) And the state treasurer is also directed to pay out of the said funds the sum of one hundred and seventy-five thousand dollars to the commissioners of the internal improvement fund, to be expended, if necessary, for ordinary repairs upon the finished lines of canals and railroads of this commonwealth,

Duties of
State treasurer
interest
fund

To pay com's
of improvement
fund

To pay cur-
rent demands
of treasury

Payment to
contractors
creditors &c

Proviso.
Work on
N Branch &
Erie exten-
sion suspen-
ded

Proviso.

and the balance which may be in the treasury on the first days of August, November and February next, (except the money which appertains to the motive power fund, and such sum, not exceeding forty thousand dollars, as the treasurer may deem necessary to retain for the purpose of meeting the current demands on the treasury,) shall be paid by the state treasurer to such creditors of the state as have received, or who are entitled to credit for the amount of their claims, on the books of the auditor general, bearing interest from the fourth day of May, one thousand eight hundred and forty-one, by virtue of a resolution passed the seventh day of April, one thousand eight hundred and forty-two, including the retained per centage on all work done prior to the said fourth day of May; and all payment heretofore made to contractors shall be applied to work done prior to fourth May, one thousand eight hundred and forty-one, and also to the payment of such of the creditors as have claims upon the state for labor and repairs, and new work done, and damages, or materials furnished, or fuel for locomotives, on the finished lines of canals and railroads, prior to the first day of April last. And when the claims of the aforesaid creditors shall have been paid, then to the payment of all those having claims entered on the books of the auditor general, for work done after the said fourth day of May, one thousand eight hundred and forty-one, up to the fifth of April, one thousand eight hundred and forty-two: *Provided*, That the contractors on the Erie and North Branch extensions shall not be entitled to the benefit of this act unless they forthwith suspend all operation upon said works, until otherwise directed by law, and that those creditors of the commonwealth who signed receipts and vouchers for their claims in advance or previous to the time of the actual payment of the same, shall be allowed interest up to the time of actual payment, according to the provisions of the act of the seventh of April, one thousand eight hundred and forty-two: *Provided also*, That all the creditors entitled to be paid under this act, shall be paid pro rata in proportion to the several sums due each.

SECTION 2. That the Governor be and he is hereby authorized to borrow a sum of eight hundred and seventy thousand dollars, at a rate of interest not exceeding six per cent. per annum, payable half yearly, at such places as may be agreed upon between the Governor and the subscribers to the said loan, for which sum he shall cause to be issued certificates of loan, signed by the auditor general and countersigned by the state treasurer, transferable on the books of the auditor general, which said loan shall be reimbursable at any time after the first day of August, one thousand eight hundred and

fifty, the moneys so borrowed be specifically appropriated to the interest on the public debt, falling due on the first day of August next, and to the payment of interest guaranteed to railroad and navigation companies.

SECTION 3. That in case the Governor shall be unable to borrow the money for the purpose aforesaid, the state treasurer is hereby authorized to issue certificates of stock, signed as aforesaid, to the persons respectively to whom the interest will be due on the first of August next, payable upon the first day of August, one thousand eight hundred and forty-three, bearing the same rate of interest as provided in the foregoing section, in payment of the interest due them on the first day of August next: *Provided*, That in all cases where the amount of interest that will become due to any of the present holders of state loans, on the first day of August next, shall not exceed the sum of fifteen dollars, such interest shall be paid out of any money in the treasury, and no certificate of stock for the payment of interest shall be issued for a less sum than fifteen dollars: *Provided*, That the stock thus issued shall only be transferable on the books of the auditor general, and the state treasurer is also authorized to issue like certificates of stock to the holders of railroad and navigation stocks, or loans, upon which the interest was guaranteed by the commonwealth.

SECTION 4. That the Governor is hereby authorized to sell, transfer and convey, at public sale, at such place or places as he may deem proper, any of the bank, turnpike, bridge and bridge, canal, navigation, or railroad stock, in any incorporated company, held and owned by the commonwealth of Pennsylvania, to the highest bidder or bidders, his, her or their heirs or assigns, after having caused sixty days public notice to be given of the time and place of such sale, in Harrisburg, Philadelphia, Pittsburg, and the county or counties in which the improvements or banks are located, of which the stock is offered for sale: *Provided*, That no share of stock shall be sold for less than an amount which, at the rate five per cent., would produce an interest equal to the dividend received by the state on said stock for the year eighteen hundred and forty-one.

SECTION 5. That it shall be lawful for the state treasurer to receive in payment of any of the stocks hereinbefore authorized to be sold, certificates of state stock, or the amount or any part thereof of any credit given to any person on the books of the auditor general, in pursuance of the provisions of the resolution of the seventh April last; and that if no sale shall be effected of the said stock, at the time the same may be publicly offered for sale, then any creditor of the state, holding

certificates of stock, or having a credit as aforesaid, shall be allowed to exchange such stock or such credit at par, for any of the bank, bridge, canal, navigation, railroad or turnpike stock, owned by this commonwealth, at the rates stipulated in the proviso to the fourth section.

Fees to be
charged by
Sec'y com'th
for enrolling
private acts
of assembly

SECTION 6. That hereafter no private act of assembly shall be enrolled in the office of the secretary of the commonwealth or have the force and effect of a law until the party asking and requiring the same shall have paid into the treasury of the commonwealth the following sums, viz :

On every law incorporating or re-chartering of any bank, with capital not exceeding two hundred thousand dollars, the sum of two hundred dollars.

With a capital over two hundred thousand dollars, and not exceeding four hundred thousand dollars, four hundred dollars.

With a capital over four hundred thousand dollars, and not exceeding six hundred thousand, the sum of five hundred dollars.

With a capital over six hundred thousand dollars, and not exceeding one million, eight hundred dollars.

With a capital over one million of dollars, the sum of one thousand dollars.

On every law incorporating or re-chartering any iron or coal company, the sum of two hundred dollars.

On every law for the incorporation of any canal, railroad company, or insurance company, (except mutual insurance companies,) the sum of one hundred dollars.

Duties of co-
com's in as-
sessing co-
rates & levies

Tax of one
mill on the
dollar
Proviso

SECTION 7. That the county commissioners of each county of this commonwealth, shall be and they are hereby authorized and required, at the time of assessing county rates in the present year, and at the usual period of making the same, annually thereafter, in addition to the increase at present required by law, to add to the county rates and levies, for the use of the commonwealth, upon all real and personal property now made taxable for state purposes, one mill on every dollar of the value thereof: *Provided*, That in the assessment of the tax imposed by this section, all stocks, mortgages, and other securities, shall be assessed at the actual value thereof.

Tax for
school pur-
poses

SECTION 8. Should any county assess and collect, for state purposes, a less amount than the appropriations made to the said county for academies, female seminaries, and for common school purposes, the said counties failing so to assess and collect the state tax aforesaid, and shall make up and pay the said difference out of their county treasury.

SECTION 9. That instead of the oath or affirmation direct- Form of oath
 ed to be administered to the assessors and assistant assessors of assessors
 of taxes, according to the first and second sections of the & assistant
 act passed the fifteenth day of May, one thousand eight assessors
 hundred and forty-one, the following shall be the form of the
 oath or affirmation, to wit: "you do (swear or affirm)
 that you will support the constitution of the United States,
 and the constitution of Pennsylvania, that you will, as assessor
 for (ward district or township,) use your utmost diligence and
 ability to discover and ascertain all the property, real and per-
 sonal, within your (ward, district or township,) and all other
 objects subject to taxation by the laws of this commonwealth,
 and take an accurate account of the same, and that you will
 justly and honestly, to the best of your judgment, assess and
 value every separate lot, piece or tract of land, with the im-
 provements thereon, and all personal property made taxable
 by the laws of this commonwealth within your (ward, dis-
 trict or township,) at the rate or price which you shall, after
 due examination and consideration, believe the same would
 sell for, if sold singly and separately at a bona fide sale, after
 full public notice; and that you will rate all offices and posts
 of profit, trades and occupations, at what you shall believe to
 be the actual yearly income arising therefrom, and that you
 will perform your duty as assessor of said (ward, district or
 township,) with honesty and fidelity, according to the laws of
 this commonwealth, without fear, favor or affection, hatred,
 malice or ill will.

SECTION 10. The county commissioners and associate Board of re-
 judges of each county shall compose a board to be called a vision estab-
 "Board of Revision," of which the county commissioners lished in each
 holding the oldest certificate of election shall be the president. co
 The members of the said board shall each take and subscribe
 an oath or affirmation, before the president of the court of
 common pleas for the county, in the following words, to wit:

I, do swear or affirm that I will Oath
 faithfully, and to the best of my knowledge and judgment,
 revise, correct and equalize the valuation of all property tax-
 able by law, in
 county, and faithfully perform all the duties
 of a member of the board of revision for
 county according to the laws of this commonwealth, which
 oath shall be deposited in the office of the recorder for the
 county.

SECTION 11. That the county commissioners of the sever- County com's
 al counties shall, as soon as the assessors of the several wards, to publish ag-
 districts and townships in their respective counties shall have gregate value
 made their returns, according to the sixth section of the act & assessments

in each tp.

entitled "An act to estimate a uniform mode for the valuation of property and assessment of taxes," passed the fifteenth May, one thousand eight hundred and forty-one, make out and publish, in not less than two newspapers, for two weeks, or if there be no newspaper published in the county, by handbills posted up in each ward, district or township, at the place of holding township, ward or district elections, a statement, in such form as will show the aggregate value and assessments made by each assessor in the county, upon property taxable by law, for county purposes, upon mortgages, moneys at interest, debts due from solvent debtors, stocks, loans and investments in corporations of other states, upon household furniture, and upon watches, according to the second section of the act entitled "An act to create additional revenue, to be applied towards the payment of interest and the extinguishment of the debt of the commonwealth," passed the eleventh day of June, one thousand eight hundred and forty, according to any laws that may hereafter be passed relating to similar objects of taxation, upon all salaries and emoluments of office, and all persons, trades, occupations and professions, according to the ninth section of the act entitled "An act to provide revenue to meet the demands on the treasury, and for other purposes," passed the fifth May, one thousand eight hundred and forty-one, or according to any laws that may hereafter be passed relating to similar objects of taxation, and will also show the whole amount of taxes assessed on each ward, district and township in the county, and at the time and in the manner herein provided for publishing said statements, the county commissioners shall also give public notice of a day not later than thirty days from the time of publishing, by them appointed, for finally determining whether any of the valuation of the assessors have been made below a just rate, according to the meaning and intention of this act.

SECTION 12. That from the time of publishing the returns of the assessors, according to the third section of this act, until the day appointed for finally determining whether any valuation of the assessors have been made too low, any taxable inhabitant of the county shall have the right to examine the said return in the commissioners' office.

SECTION 13. That the board of revision in each county shall, on receiving the returns of the assessors, proceed to examine and inquire whether the same have been made in conformity with the laws of this commonwealth, and whether all property to be valued for taxation for state and county purposes, has been valued at a sum or price not less than the same would bring after full public notice, at a public sale,

supposing each separate lot or piece or tract of land, with the improvements or the personal property of each individual, company or corporation only were to be sold. They shall receive and consider the written communication of any taxable inhabitant of the county, relative to any property which such taxable inhabitant shall believe to have been reduced too low, and on the day appointed for determining whether any property has been reduced too low, or reduce the same if too high, they shall proceed to raise the price or valuation of any property which they shall believe to have been reduced too low, and if they cannot, on the day appointed, revise, raise and equalize, the valuation of all property which they shall believe to have been reduced too low, they may adjourn from day to day until the whole of such valuation shall have been revised, raised and equalized.

SECTION 14. That when the whole of the valuation of the assessor shall have been raised, revised and equalized, in conformity with the foregoing section, the same proceedings shall be had in reference to notice, appeals and corrections, which are now had by the laws of this Commonwealth, excepting only that the board of revision, instead of the county commissioners, shall hear and decide upon all appeals. Valuation revision & equalization of property

SECTION 15. That the associate judges shall be allowed and paid out of the State Treasury, one dollar and fifty cents per day, for the time by them necessarily employed in performing the duties as members of the board of revision, and their accounts shall be settled as they are now settled for performing the duties of their judicial stations. Pay

SECTION 16. That the county commissioners of each and every county of this Commonwealth, shall be, and they are hereby required, annually, at the usual period of making county rates and levies, in addition to the increase at present required by law to add to the county rates and levies, for the use of the Commonwealth, upon all real and personal property now made taxable for state purposes, by the existing laws, for the purpose of raising county rates and levies, one mill on every dollar of the actual value thereof: *Provided*, That this act, so far as it relates to imposition of an increase of taxation, shall not extend beyond the assessment and collection of one year. Tax of one mill on the dollar
Proviso

SECTION 17. That the Governor is authorized and required to receive proposals for the sale of the Delaware division of the Pennsylvania canal, payable in three annual instalments, in par funds, state script, or state bonds at par, and that the governor be requested to make known the same in as many of the public papers of this Commonwealth as he may deem expedient, and lay before the next legislature, at as early a day Governor to receive proposals for sale of Del div Pa canal

as possible, such proposals, if any, for their concurrence or rejection.

SECTION 18. That the governor be, and he is hereby authorized, to receive proposals for the sale of the North Branch, from Northumberland to Lackawana creek, and Erie Extension of the Pennsylvania canal, also the Columbia and Portage rail road, and the main line of the Pennsylvania canal, and all other branches of rail roads and canals belonging to the Commonwealth.

SECTION 19. After the passage of this act, the governor shall cause to be published for two months in Harrisburg, Philadelphia and Pittsburg, a notice that proposals will be received at the state department until the last day of November next, for the sale of the works aforesaid, or either of them, for which state stock at par value will be received in payment.

SECTION 20. The said proposals shall be sealed up and directed to the Secretary of State, particularly stating the amount and the work proposed to be taken.

SECTION 21. It shall be the duty of the governor, upon the meeting of the next General Assembly, to lay the said proposals before it, and if, upon examination and consideration, the amount offered to be given for all or any of the aforesaid division of the public works, shall be deemed sufficient by the legislature, then, and in that case, such provisions may be made to carry into effect the contract or contracts as may be agreed on, and the legislature shall adopt. Upon disposing of any of the said works, the secretary of state shall transfer the same, under the great seal of the Commonwealth upon such conditions, and restrictions, as the legislature shall by law direct, and an account of the stock so received in payment for the same, shall be entered by the auditor general upon the books of his office, and the certificates thereof cancelled.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of July, one thousand eight hundred and forty-two.

DAVID R. PORTER.