

No. 97.

AN ACT

Making an appropriation for the repairs of the canals and railroads belonging to this commonwealth.

Appropriation,
\$60,000.

\$2,000.

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 sum of sixty thousand dollars is hereby specifically appropriated to defray the cost of such repairs as are or may be necessary to be made, on the finished lines of canals and railroads, in order to repair and maintain in good order said works, for the business of the coming spring; and that the said sum of sixty thousand dollars be paid out of any money in the treasury: *Provided*, That no money shall be drawn from the treasury for repairs on the finished lines of canals and railroads, except as is herein specifically appropriated; and that the sum of two thousand dollars, of which may be expended, to put in passable order the descending navigation on the Franklin line, if the canal commissioners deem it expedient, and shall be of opinion that the said sum of two thousand dollars will be sufficient to repair the two lower dams and locks on said line, so as to be navigable for the descending trade.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The nineteenth day of March, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 98.

AN ACT

Giving out for a term of years, all the public printing and binding of the commonwealth to the lowest bidder, with ample security for performance.

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 on the fourth Tuesday of March, one thousand eight hundred and forty-four, or as soon thereafter as practicable, and on the fourth Tuesday of January, of every third year thereafter, the legislature shall meet in convention, and the speakers thereof shall receive proposals for doing

Triennial selection.

the public printing and binding for the term of three years, from the first day of July then next, at a certain rate per centum below the rates specified in the act relating to the public printing and binding, passed twenty-fourth March, one thousand eight hundred and forty-three; and the proposals shall specify the rate per centum on the whole of the rates of said act, taken together, and not a specification of the rate per centum below the rate on each item; and the said speakers shall, in presence of said convention, open and publish all the proposals made, and shall proceed publicly to allot all the printing and binding aforesaid to the lowest bidder, who shall forthwith execute to the commonwealth a bond, with at least two sufficient sureties, in the sum of ten thousand dollars, conditioned for the faithful performance of the work so allotted to him; and in case the lowest bidder fails so to give bond forthwith, the said speakers shall allot the same to the next lowest bidder, upon the same terms as to bond with sureties, of the sufficiency of which the said speakers shall in all cases judge and approve; and if the next lowest bidder fails forthwith to give the bond and security required, then said speakers shall allot the same to the next lowest bidder, on the same terms in all respects, and so on, shall make allotments as often as necessary, until the same is given to the lowest bidder, according to the true intent and meaning of this act; and in all cases where any bidder fails to give the bond and the sureties required, he shall pay to the commonwealth a penalty of five hundred dollars, to be recovered by action of debt, under the direction of the state treasurer, for the use of the commonwealth: *Provided*, That the proposals for doing the English printing and binding, shall be separate and distinct from the proposals for doing the German printing and binding; but in both cases the bids shall specify simply the per centum below the gross rates, according to the following forms, to wit:

I, A B, propose to do all the English printing and binding in the manner, and in all respects subject to the provisions of the act of twenty-fourth March, one thousand eight hundred and forty-three, for the period of three years, from the first day of July next, at the rate of per centum below the rates specified in said act; and I herewith tender a bond with A B and C D, and others, forthwith, if necessary and required, as my sureties for performance.

I, A B, propose to do all the German printing and binding, in the manner, and in all respects subject to the provisions of the act of twenty-fourth March, one thousand eight hundred and forty-three, for the period of three years, from the first day of July next, at the rate of per centum below the rates specified in said act; and I herewith tender a bond with A B and C D, and others, forthwith, if necessary and required, as my sureties for performance.

Which said proposals shall be sealed and endorsed, "proposals for the public printing and binding," and shall be directed to the said speakers, and be delivered to one or both of them, to be opened and announced in the presence of said convention, as aforesaid, and not otherwise: *Provided*, That the legislative printing and binding of the present session, including that of the Pamphlet Laws, shall continue to be done in the English language by Isaac G. M'Kinley, and in the German language by Hutter & Bigler; and the auditor general shall audit their accounts for the printing and binding of the present session, and draw warrants in their favor respectively, agreeably to the provisions of the said act of twenty-fourth March, Anno Domini, one thousand eight

hundred and forty-three : *And provided, further,* That if two or more persons shall bid to do the public printing and binding at the same price, they being the lowest bidders, the said speakers shall proceed forthwith to choose between the said lowest bidders ; and if said speakers cannot agree as to whom the said printing and binding shall be allotted, they shall, in that case, forthwith refer the matter to the convention for decision.

Contract and
bond.

SECTION 2. That the form of the contract and bond to be entered into, shall be as follows, viz :

We, _____ are jointly and severally held, and firmly bound unto the commonwealth of Pennsylvania, in the sum of ten thousand dollars. Witness our hands and seals, this _____ day of _____ one thousand eight hundred and _____. The condition of this bond is such, that if the above bounden _____ to whom the _____ and binding are allotted, well and faithfully in all respects, do and perform the same for the commonwealth, according to the manner required to be done and performed by the act to provide for the election of state printer, passed the twenty-fourth day of March, one thousand eight hundred and forty-three, and do faithfully perform and execute the same, at the rate per centum below the rates of compensation specified in said act, according to the allotment this day made for the period of _____, then this obligation to be void, otherwise valid.

Remedies.

SECTION 3. In addition to the legal remedies in said contracts and bonds, all the powers contained in said act respecting state printers, and in relation to the removal of the state printers, and in relation to a failure in the performance of the work, are hereby made applicable to the printers to whom the allotments shall be made under this act ; and all vacancies which may happen by death during the session of the legislature, shall be filled by the legislature in the manner directed in this act, as soon as possible after any vacancy may occur, by the allotment of the public printing and binding for the residue of the term to the lowest bidder, according to the intention of this act ; and in case of the decease during the recess of the legislature of any person to whom public printing and binding may be allotted, or if the legislature shall adjourn without filling said vacancy, and where the legal representatives or the securities of such decedent shall give notice to the governor that it is their desire to proceed no further in the performance of the contract of said decedent, it shall be the duty of the governor, after ten days public notice in two newspapers in Harrisburg, to receive proposals according to the forms prescribed in this act for doing the printing and binding, and between the hours of ten and twelve o'clock of the day, and at the place to be named in said notice, shall publicly open all proposals so received, and shall forthwith allot the said printing and binding to the lowest bidder, subject to all the provisions of this act, as to securities and legal liabilities, except that the said sureties shall be approved by the state treasurer ; and the person to whom such allotment shall be made, shall do and perform said printing and binding until the expiration of the term of allotment of such decedent, unless removed in the manner herein before referred to.

Vacancy.

Powers of governor.

State treasurer.

Blanks, circulars,
&c.

SECTION 4. That the person to whom the English printing and binding shall be allotted under the provisions of this act, shall do the printing of all the blanks and circulars required in the different departments of the government, at the rate of one dollar per quire thereof, including the paper for that purpose, and to be executed on paper of the same quality now used for such blanks and circulars, according to the order,

from time to time, of the heads of the respective departments, and the accounts therefor shall be settled and paid as other accounts for public printing under this act; and the provisions of this section shall in all cases be considered as a part of the allotment at the rate herein stated: *Provided*, No more blanks or circulars shall be printed in one year *Proviso*. than shall be necessary for the service of that year.

SECTION 5. That so much of any law as is hereby altered, the same is hereby repealed.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The twenty-third day of March, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 99.

A N A C T

To incorporate the Mutual insurance company of Lancaster and York 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 Evan Green, Peter Haldeman, Jonathan Pusey, Abraham Bruner, William Atkins, Dr. J. S. Clarkson, Henry B. Eagle, John Barber, Jacob Livergood, John S. Futhey, Andrew J. Kauffman, Jacob B. Garber, and John Auxer, Esq., and all other persons who may hereafter associate with them in the manner hereinafter prescribed, shall be, and are hereby constituted and declared to be a body politic and corporate, by the name, style and title of the Lancaster and York counties mutual insurance company, and by the same name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded in all courts of record, or elsewhere; and also to make and have one common seal, and the same to alter and renew at pleasure; and also to ordain, establish and put in execution such by-laws, ordinances and regulations, as shall appear necessary and convenient for the government of the said corporation, not being contrary to this charter, or the laws of the United States, or of this commonwealth; and generally to do and transact all such matters and things as shall to them lawfully appertain.

Corporators.

Name.

Powers, &c.

Directors.

Officers.

SECTION 2. The affairs of the said company shall be managed by a board of directors, consisting of thirteen members, to be elected as hereinafter provided; which board shall appoint from their own number one person as president, and they shall also appoint a secretary and treasurer, of whom they shall require such securities as they may provide for by their by-laws, and shall have authority to appoint other officers and employ such agents and attorneys, as may be found necessary for the