

incompetent as a witness: *Provided*, The managers do not agree to *Proviso*. rebuild or replace the property lost or damaged, in which case a reasonable time shall be allowed them.

SECTION 15. Any amendment or alteration may be made to the con- Amendments. stitution at any general meeting, by a majority of the whole association: *Provided*, The same is not repugnant to the constitution of this commonwealth, or of the United States.

SECTION 16. That the privileges hereby granted shall expire at the Duration of charter. end of twenty years.

FINDLEY PATTERSON,  
*Speaker of the House of Representatives.*

JNO. B. STERIGERE,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of April, one thousand eight hundred and forty-five.

FRS. R. SHUNK.

No. 335.

## AN ACT

To authorize the appropriation of certain road taxes in Schuylkill county, to the opening of a road in Pinegrove township, in said county.

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* Appropriation. the road taxes assessed upon the unseated lands, within the townships of Pinegrove and Porter, in the county of Schuylkill, now held and owned by George Richards, Thomas Baird and Thomas M. O'Brien, are hereby appropriated to the opening and making of the road laid out for a public road, leading from the old Sunbury road, at Harvey's tavern, Route. through the valley between the Sharp and Second mountains, and intersecting the public road leading from Port Mifflin, on the Union canal, to Lykens' valley, in the Fishing creek gap, in the Second mountain, for and during the term of four years.

SECTION 2. That George Richards, Thomas Baird, and Thomas M. Power to open O'Brien, be and they are hereby authorized and directed to open said road. road, on being allowed a credit for the making said road, for their road taxes, as they yearly become due on the lands referred to in the first section of this act, for the term therein mentioned, the said Richards, Baird and O'Brien opening the said road, at as early a day as possible; and that Samuel B. Fisher, and Samuel Lewis, of the borough of Pottsville, be and they are hereby appointed commissioners to examine Examiners. the route laid down by the jury, and if in their opinion the same can be altered to advantage in any part, they shall make a survey and draft Draft. of the same, and make a return of the same to the office of the clerk of the court of quarter sessions of the said county, which shall be a record thereof, and from thenceforth the said road shall be to all intents

Expenses.

and purposes a public highway, and after being opened by the said Richards, Baird and O'Brien, shall be repaired, in all respects as other public roads are repaired; the expenses of the said survey and return is to be paid out of the taxes aforesaid.

FINDLEY PATTERSON,  
*Speaker of the House of Representatives.*  
 JNO. B. STERIGERE,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of April, one thousand eight hundred and forty-five.

FRS. R. SHUNK.

No. 336.

## AN ACT

Relating to the controllers of the public schools of the city and county of Philadelphia.

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 present controllers of public schools for the city and county of Philadelphia, and such persons as may hereafter be duly elected, according to the laws of this commonwealth, as their successors in office, be and they are hereby made a body politic and corporate in law, with all the legal powers and incidents of a corporation aggregate, and shall have capacity as such.

Incorporation.

Name.

I. To sue and be sued by the corporate name of "The Controllers of the public schools of the first school district of Pennsylvania."

Powers, &amp;c.

II. To take and hold real estate in fee simple, or for any less estate, within the city and county of Philadelphia, and to have power to sell and dispose of the same, from time to time, in absolute fee simple or for any less estate, and to convey the same to any purchaser or purchasers free from all trusts: *Provided*, That no such real and personal estate shall be taken and held by the said controllers, except for public school purposes, or such as are directly incident thereto, by the laws of the commonwealth of Pennsylvania.

Proviso.

Seal.

III. The said corporation shall have a common seal, which shall remain in the custody of such person as shall be prescribed by the by-laws of said corporation.

Secretary.

IV. The said corporation shall have full power and authority to elect a secretary, not one of their own body, who shall give such security for the proper performance of his duties as the by-laws of the corporation may require; they shall also have authority to make such by-laws, rules and regulations, as may be necessary for their well government.

Made subject to a  
 certain act.

V. The said corporation shall have and exercise all the privileges and powers, and be subject to all the duties which are now had, and exercised by the board of controllers of public schools of the city and county of Philadelphia, and to which the same are subject, and all the acts of