

act to which this is a supplement, on the same terms and conditions as is therein provided.

Repeal.

SECTION 2. That so much of the said act to which this is a supplement, as is hereby altered, is repealed.

JAMES COOPER,

Speaker of the House of Representatives.

CH. GIBBONS,

Speaker of the Senate.

APPROVED—The thirteenth day of March, one thousand eight hundred and forty-seven.

FRS. R. SHUNK.

No. 272.

AN ACT

Concerning the removal of the seat of justice of the county of Schuylkill, from Orwigsburg to the borough of Pottsville.

To decide by
ballot on the re-
moval of seat of
justice.

Tickets.

Pottsville.

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 and may be lawful for the qualified voters who have resided in Schuylkill county for at least six calendar months immediately preceding the next general election, to vote at such election upon the question of the removal of their seat of justice from Orwigsburg to the borough of Pottsville, in the county of Schuylkill, in the manner following, to wit: those in favor of a removal shall vote a written or printed ticket, labelled "seat of justice," and containing the words "for Pottsville;" and those opposed to a removal shall vote a written or printed ticket labelled as aforesaid, and containing the words "for Orwigsburg;" the said tickets to be deposited in a box which shall be provided for that purpose at each and every of the election polls of said county; and the returns of said election shall be made in the same manner, by the return judges, as in the case of the election of members of assembly; and if, on the meeting of the return judges, it shall appear that a majority of the votes have been given in favor of Pottsville, then the following sections of this act shall be of full force and effect; but if it shall appear that a majority of the votes have been given against Pottsville, then the following sections of this act shall be null and void.

SECTION 2. That if a majority of the voters of said county of Schuylkill, qualified as aforesaid, voting on said question of removal, shall decide in the manner provided in the first section of this act, in favor of the removal of the seat of justice, in said county, to the borough of Pottsville, the citizens of Pottsville, in said county, shall erect, or cause to be erected, at their own proper expense, within three years from and after such election, in the borough of Pottsville, aforesaid, suitable buildings, of brick or stone, for a court house and different offices for the safe keeping of the county records, under the direction of the county

commissioners for said county, who are hereby authorized to receive a conveyance for a lot or lots of ground, for the use of the county of Schuylkill, in fee simple, clear of all incumbrances, the said buildings to be erected on such lot or lots of ground thus conveyed; and the county commissioners for said county are hereby authorized and required, at the expense of said county, to erect and build a suitable county prison and jail, of brick or stone, in said borough of Pottsville, within said three years after such election, as aforesaid; and the said county commissioners are hereby authorized and empowered, as soon as said seat of justice shall be removed from Orwigsburg to Pottsville, in the manner herein provided, to grant and convey to the borough of Orwigsburg, the court house and other public buildings and land on which the same are erected, and the appurtenances thereto, in the borough of Orwigsburg, to have and to hold the same only in trust, and for the use and purpose of occupying and using said buildings and real estate as an academy and seminary of learning, for the education of youths.

Duty of county commissioners.

SECTION 3. It shall be lawful for the citizens of Pottsville to obtain subscriptions from any person or persons willing to subscribe any money or materials for the erection of such court house and public offices, as are provided for in the second section of this act; and in default of the payment of the same to the county commissioners, said county commissioners are hereby empowered to cause suit to be brought in the name of said county, to enforce the recovery of the same; and when collected, to be applied towards defraying the expenses of such buildings.

County commissioners may compel the payment of subscriptions.

SECTION 4. That so soon as the public buildings are completed, according to the provisions of this act, the county commissioners aforesaid, shall file a report of the same in the court of common pleas of Schuylkill county; and the said court, upon examination thereof, being satisfied that said buildings are fully completed, according to the true intent and meaning of this act, and a record thereof being made, by endorsement, on said report, the commissioners and sheriff of said county shall thereupon cause the prisoners, if any there shall be confined in the old prison, to be safely removed to the new; and the public papers and records then remaining in the public offices in Orwigsburg, to be safely deposited in the new buildings so as aforesaid built for the reception thereof; and from thenceforth the seat of justice in and for the county of Schuylkill shall cease to be at Orwigsburg, and the same shall be removed and fixed at the new location in the borough of Pottsville, in the said county, so as aforesaid to be fixed upon; and the public offices heretofore kept, and the courts of justice heretofore held at Orwigsburg, in and for the county of Schuylkill, shall be kept and held at the borough of Pottsville, in the county aforesaid.

Further duties of county commissioners.

SECTION 5. That soon as the prisoners and records are removed from Orwigsburg, as aforesaid, the county commissioners for said county shall proceed to sell, at public sale, after due notice, the old court house and prison at Orwigsburg, and the lot or lots of ground on which they are erected, with the appurtenances, to the best advantage; and the said commissioners shall execute a deed or deeds to the purchaser or purchasers of the same, and shall pay over the proceeds of sale to the county treasurer, who shall appropriate the same as all other funds of the county are by law appropriated.

Commissioners to sell old court house, &c.

SECTION 6. If any person or persons shall vote on the question of the removal of the seat of justice of said county of Schuylkill, at the election authorized to be held by virtue of this act, not duly qualified to vote in accordance with the first section of this act, or shall vote out of his or their proper district, or shall vote more than once on said ques-

Penalty for voting fraudulently.

tion, he or they so offending, upon conviction thereof before the proper court of quarter sessions of said county, shall be subject to the penalty provided for in the general election laws of this commonwealth.

Penalty for conducting election illegally.

SECTION 7. If any judge or inspector of the election authorized to be held by virtue of this act, shall knowingly or wilfully reject the vote of a citizen qualified to vote on the question of the removal of the seat of justice in said county, in accordance with the first section of this act, or shall receive the vote of a person not qualified to vote, as aforesaid, on said question, he or they so offending, upon conviction thereof before the proper court of quarter sessions of said county, shall forfeit and pay, for the use of said county, for every such offence, a sum not less than three hundred or more than six hundred dollars, at the discretion of the court, and shall undergo an imprisonment in the jail of said county, for a period of not less than twelve months or more than two years.

For false returns.

SECTION 8. If any judge, inspector or clerk of the election authorized to be held by virtue of this act, shall wilfully miscount, or shall falsely and fraudulently add up and return the votes received upon the question aforesaid, or shall keep a false tally paper, or shall be guilty of any fraud in the discharge of his duties, every person so offending, upon conviction thereof in the proper court of quarter sessions of said county, shall be subject to the same fine and penalty as are imposed upon delinquent judges or inspectors by the general election laws of this commonwealth.

Duties of election officers.

SECTION 9. It shall be the duty of the judges and inspectors conducting the election authorized to be held by virtue of this act, to cause the letter R to be legibly and distinctly set opposite the name of every citizen who shall vote on the question of removal of the seat of justice, as aforesaid, on the tally paper on which his name shall be registered; and any wilful omission so to do, shall be deemed a fraud, and shall be punished as such, in accordance with the provisions of the eighth section of this act.

Qualification of election officers.

SECTION 10. It shall be the duty of the judge, inspector and clerk conducting the election authorized to be held by virtue of this act, to take (in addition to the oath or affirmation he is now required by law to take,) an oath or affirmation that he will honestly and faithfully comply, in every respect, with the provisions and requirements of this act.

Return judges.

SECTION 11. It shall be the duty of the return judges of said county, at the time and place of their meeting, to cast up all the votes received in the different election districts, on the question of the removal of the seat of justice aforesaid, and shall make out two certificates showing the result; one of which shall be filed in the office of the clerk of the court of quarter sessions, who shall certify the same to the governor of this commonwealth, and the other in the office of the commissioners of said county of Schuylkill.

Sheriff to publish act.

SECTION 12. It shall be the duty of the sheriff of the said county of Schuylkill, to cause this act to be published in at least three newspapers published in said county, for at least once in every week for sixty days immediately preceding the next general election; and shall, on the day of the election, cause at least two printed copies, one of which shall be in the German language, of said act to be posted, in handbill form, in the most public places nearest the election poll in every election district in said county; and the reasonable expenses of such publication shall be paid by the said county of Schuylkill, by orders drawn in the usual way.

Commissioners appointed to procure a suitable lot for public buildings.

SECTION 13. That William T. Sanders, Augustin Holmes, Joseph F. Taylor, James B. Levan and Joseph Fertig, senior, are hereby ap-

pointed commissioners, who or two-thirds of whom are hereby authorized and empowered to select and procure a suitable lot or lots within the said borough of Pottsville, on which said court house and public offices shall be erected, in the manner aforesaid: *Provided furthermore*, That no person or persons shall hereafter be appointed a commissioner, as aforesaid, who either resides in the borough of Pottsville, aforesaid, or is a property holder or property owner in said borough.

SECTION 14. That so much of the existing laws of this common-wealth as are altered or supplied by this act, be and the same are hereby repealed. Repeal.

JAMES COOPER,
Speaker of the House of Representatives.

CH. GIBBONS,
Speaker of the Senate.

APPROVED—The thirteenth day of March, one thousand eight hundred and forty-seven.

FRS. R. SHUNK.

No. 273.

AN ACT

Relating to certain corporations.

WHEREAS, Certain corporations, deriving their charter from the commonwealth of Pennsylvania, in cases where a majority of the board of managers are resident out of the state, or the chief officer, for the trans-
action of the business of such corporations is located out of the state, have it in their power to evade, and in some cases have evaded the laws of this commonwealth, subjecting the stock and property of such corporations to taxation; and to escape and evade their amenability to the laws of this commonwealth, for misuser or neglect of their corporate duties and liabilities, and other violations of the provisions of their charters; therefore,

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 the duty of any and every railroad or canal company, incorporated by this commonwealth, whose works and property are principally located within this state, in all elections for president, managers, directors, or other officers of said companies, having the control and direction of the works or affairs of such company, held at any time after the passage of this act, to hold their elections at some place to be determined upon by the board of managers in this state, and to elect a majority of citizens, resident within this state, as managers or directors of their said companies respectively, of which majority the president shall in all cases be one; and it shall be the duty of the respective boards of such corporations so elected, to establish their principal office

Preamble.
Duties of incorporated companies.
Elections to be held in this state.
Office to be in this state.