

No. 46.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Carpenter Island meadow company," approved the twenty-fourth day of February, one thousand eight hundred and forty-seven.

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 board of managers of the said Carpenter Island meadow company shall consist of four members, of which number three shall be a quorum for the transaction of all business appertaining to the company, and who, or a majority of whom, shall have power to fill all vacancies occurring in the board by death, resignation or otherwise; and the person or persons, so appointed or elected, shall continue in office until an election for managers shall be held, under and by the authority of the act to which this is a supplement, or until their successors shall be chosen; and at all elections for managers, four persons shall be chosen; but a failure to elect managers at the time specified by said act, shall not work a forfeiture of the charter of said company, but the managers, for the time being, shall, in such event, continue in office until their successors shall be chosen agreeably to the act of incorporation. Number of managers. Powers.

SECTION 2. That Isaac Reeves, Benjamin Serrill, Caleb Churchman and Jabez Bunting, be and they are hereby appointed managers of said company, and shall have the power to construct the new work provided for by the act to which this is a supplement; and also to appoint a treasurer until the third Monday in March, one thousand eight hundred and forty-nine, or until their successors shall have been elected, which election shall be called and conducted by Caleb Churchman, Benjamin Serrill and Isaac Reeves, or any two of them; and on the third Monday of March, in that and every year thereafter, an election shall be held in manner aforesaid, for said officers; ten days' public notice of the time and place of such election shall be given by the treasurer of the said company. Managers appointed. Provision for holding election.

SECTION 3. That for the purpose of assessing the cost and expense of locating, constructing and completing the embankments, sluices, flood-gates, and other devices, as provided for by the fourth section of the act to which this is a supplement, the board of managers, after having fixed upon a day, shall give at least five days' notice thereof, by written or personal notice, upon each owner or owners, trustee or legal representative, of the several tracts of land interested in such improvement, as held and owned on the twenty-fourth of November, one thousand eight hundred and forty-seven, upon which notice the said owner or owners, trustee or legal representative thereof, shall appoint one disinterested person, each to meet at the time and place as fixed upon by the board of managers for the purposes aforesaid, and who may thereafter meet upon their own adjournments; and a majority of such persons may perform the duties in the said section prescribed, and make their written award to the said managers for collection as therein prescribed; and until paid, such apportioned assessment shall be a lien on the real estate against which it shall be assessed and apportioned: Manner of assessing the costs for construction of works, prescribed

and for the purpose of receiving such notice, any one of two or more tenants in common, or of trustees, and equitable owners, shall be deemed fully to represent the tract of land he may be interested in, and but one appointment shall be made by all the owners, legal or equitable, or their agent, of any one tract, or of several tracts, owned or represented by the same persons; and if any owner, authorized to appoint such disinterested person, shall fail to do so after due notice, and waiting of one-half hour at the time and place designated as aforesaid for such appointment, he or they shall be considered as having waived and forfeited all right to make such appointment, and shall be equally bound and obliged to make payment, as if he or they had duly appointed such person to assess and apportion the charges aforesaid; and in order to provide the means for the construction and completion of said works, the said assessment and apportionment may be made before the work shall be commenced, and made payable in instalments; the first thereof before the work shall be begun, and the others as it shall be advanced towards completion on the call of the managers; and should said instalments not prove sufficient for the completion of the works, the same disinterested persons, or their survivors, shall make a new assessment and apportionment for said purpose, and each instalment may be repeatedly collected, as also all assessments made by the managers; amounts under one hundred dollars, as other debts before a justice of the peace, and amounts of one hundred dollars and upwards, according to the provisions of the act of eleventh of March, one thousand eight hundred and forty-six, entitled "An Act relating to registered taxes and municipal claims in the county of Philadelphia."

Instalments, how
payable.

Part of former
act repealed.

Repeal.

SECTION 4. That the second and eighth sections of the act to which this is a supplement, are hereby repealed; and also so much of the twelfth section as restricts the use of the road, therein required to be laid out, to the garrison on Mud island and the adjoining owners, which road may be made by the managers on or along the contemplated bank.

SECTION 5. That such portion or portions of the act to which this is a supplement, inconsistent with the provisions of this act, be and the same are hereby repealed.

WILLIAM F. PACKER,

Speaker of the House of Representatives.

WM. WILLIAMSON,

Speaker of the Senate.

APPROVED—The fourteenth day of February, one thousand eight hundred and forty-eight.

FRS. R. SHUNK.