

No. 95.

A N A C T

Relating to assessors in the counties of Berks and Luzerne.

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 fifty-ninth section of an act regulating election districts, and for other purposes, approved the eleventh day of July, one thousand eight hundred and forty-two, be and the same is hereby repealed, so far as the same relates to Berks and Luzerne counties.*

JAMES COOPER,
Speaker of the House of Representatives.

CH. GIBBONS,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 96.

A S U P P L E M E N T

To an act, entitled "An Act to incorporate the Buckingham and Doylestown turnpike road company," passed thirtieth April, eighteen hundred and forty-three.

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 when, and so often as the president and managers of the Buckingham and Doylestown turnpike road company, shall have completed one mile of said road, that they may proceed to have the same inspected and licensed for taking toll thereon, in the same manner, and with like restrictions and privileges, as is provided in the tenth section of the act incorporating the Danborough and Doylestown turnpike road company.*

SECTION 2. That the said president, and managers and company, shall be and they are hereby authorized to borrow for the purposes of the company, any sum not exceeding five thousand dollars; and for the purpose of securing the payment of the same to the lender or lenders, may issue certificates of loan, in sums of not less than one hundred dollars each, to be signed by the said president and treasurer, and sealed with the seal of the corporation, to be payable at such time, and upon

Execute a mortgage to trustees, &c.

such terms as may be agreed upon between the parties ; and in order to secure to the lenders, their executors, administrators or assigns, the amount of said certificates, as they shall become due and payable, the said president, managers and company, are hereby authorized and empowered to make and execute to a trustee or trustees, to be appointed by the president, managers and company, a mortgage, in the manner hereinafter provided for the whole of the said turnpike road, as the same shall be at the time the mortgage is executed, or at any time thereafter, and of all the stock, rights, and privileges of the said president, managers and company, and of all and each of the stockholders thereof ; and in case it shall happen that any certificate of loan aforesaid, shall remain unpaid for thirty days after the time appointed for the payment of the same, then it shall be lawful for any holder of such certificate to sue out scire facias on the mortgage aforesaid, and proceed to obtain judgment thereon ; and the judgment so obtained shall stand as a security for all such certificates as shall then remain unpaid, and the holder of any certificate may proceed and issue a levam facias and sell the said road, and all the rights, stock and privileges of the said president, managers and company therein, and all the stock, rights and privileges of the stockholders of the said company ; and a sale under such levam facias, shall vest absolutely in the purchaser the whole rights, privileges and stock of the company, and of the stockholders therein, as effectually as real estate is vested in a purchaser when sold on a mortgage ; and the said sale shall wholly divest the said president, managers and company, and each and every stockholder of all corporate powers, right, title, interest, estate, privileges or stock, as well of the said president, managers and company, as that of each and every stockholder, shall be vested in the purchaser or purchasers thereof ; and from thenceforth, all the provisions of the act of incorporation of the said company, with the corporation powers conferred, and of the several laws of this commonwealth in relation to turnpike roads, shall be for the benefit and government of the said purchaser or purchasers, in like manner as if they were the original incorporators : and if at any time the interest agreed to be paid, shall remain unpaid for thirty days after the time appointed for the payment thereof, the court of common pleas of Bucks county shall, on the application of a holder of a certificate, to whom interest is due, decree that the toll received upon said road be paid to a receiver appointed by the said court, until sufficient toll is collected to pay such interest, and shall enforce such order against all and every receiver of tolls, if necessary, by attachment, and shall direct the interest aforesaid to be paid by such receiver to those entitled to receive it ; and all the proceedings to affect these purposes shall be in such form as the court aforesaid may direct : *Provided*, That before proceedings to obtain the loan aforesaid, the said president, managers and company, shall, by resolution of the board, determine precisely the amount of the loan to be made, which shall not be exceeded ; and thereupon, they shall execute to the trustee aforesaid the mortgage aforesaid, conditioned as aforesaid, which shall be for the use of all and every the holders of the certificates of loan in manner as aforesaid ; and then the said president, managers and company may, from time to time, as they may deem best, borrow any portion of said amount, for which they shall issue certificates of loan as aforesaid : *And provided*, That for all fractional parts of tolls, not equal to any denomination of coins in circulation, the said company may take the next highest circulating denomination.

Annual election. SECTION 3. That the annual election for officers of the said turnpike road company, shall take place on the second Monday of December, in

each and every year; and the annual election of officers for the Doylestown and Willow Grove turnpike road company, shall take place on the first Monday of December, in each and every year.

SECTION 4. That the powers and duties of the commissioners named in the act to which this is a supplement, may be executed and performed in such reasonable time, before the first day of July next, as may be convenient.

SECTION 5. The president and managers may supply any vacancy in their board, or treasurer or secretary, which may occur by death, resignation or otherwise, until the next succeeding election.

JAMES COOPER,
Speaker of the House of Representatives.

CH. GIBBONS,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 97.

AN ACT

Regulating election districts.

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 hereafter the time of holding the spring elections in the townships of Cambria, Susquehanna and White, in the county of Cambria, shall be changed from the third Friday of March, to the third Friday in February, on which latter day they shall hereafter be held, by the same officers and under the same regulations as heretofore.

SECTION 2. That hereafter the qualified voters of White township, Cambria, in Cambria county, shall hold their township and general elections at school house number two, in said township.

SECTION 3. That the qualified voters of the township of Jessup, in Susquehanna, the county of Susquehanna, shall hereafter hold their township and general elections at the house of Daniel Hoff, in said township.

SECTION 4. That the qualified voters of the township of Lathrop, in Susquehanna, the county of Susquehanna, shall hereafter hold their township and general election at the house of John Squires, in said township; and that Noah Pratt, junior, of said township, is hereby appointed judge, Election officers and Thomas J. Robinson and Justice M. Lee, are hereby appointed appointed. inspectors, who will hold and conduct the township election, for the said township of Lathrop, in February, eighteen hundred and forty-seven, for the election of township officers, and for the election of one judge and two inspectors; notice to be given of such election, and the same to be conducted, and the returns of such elections to be made ac-