

shall be made within five years after the passage of this act; and should the said company fail to complete their road within ten years after the same shall have been commenced, then this act shall be null and void, except so far as shall become necessary to settle the affairs of the company.

J. S. M'CALMONT,

Speaker of the House of Representatives.

V. BEST,

Speaker of the Senate.

APPROVED—The ninth day of April, A. D., one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No. 302.

AN ACT

Prescribing the time and manner of submitting to the people for their ratification or rejection, the proposed amendment of the constitution.

WHEREAS, A joint resolution to amend the constitution of this commonwealth, in the second section of the fifth article thereof, by providing for the election of the judges of this commonwealth by the people, has been agreed to by a majority of the members elected to each house of the legislature, at two successive sessions of the same, the first session commencing on the first Tuesday of January, in the year of our Lord, one thousand eight hundred and forty-nine, and the second commencing on the first Tuesday of January, in the year of our Lord, one thousand eight hundred and fifty:

Preamble.

And whereas, It is provided in the tenth article of the constitution that any amendment so agreed upon, shall be submitted to the people in such manner and at such time, at least three months after being so agreed to by the two houses, as the legislature shall prescribe; 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 Governor to issue for the purpose of ascertaining the sense of the citizens of this commonwealth in regard to the adoption or rejection of the said amendment, the governor of this commonwealth shall issue a writ of election, directed to the sheriff of each and every county of this commonwealth, commanding them to give notice in the usual manner, that an election will be held in each of the townships, wards and districts therein, on the second Tuesday in October, in the year of our Lord, one thousand eight hundred and fifty, for the purpose of deciding upon the adoption or rejection of the said amendment; which said election shall be held at the places, and be opened and closed at the time at and within which the general elections of this commonwealth are held, opened and closed; and it shall be the duty of the judges, inspectors and clerks of each of said townships, to the sheriff of each county.

Duty of the officers of election.

How tickets to
be labelled.

wards and districts, to receive at the said election tickets, either written or printed, or partly written and partly printed, from citizens duly qualified to vote for members of the general assembly, and to deposit them in a box or boxes to be for that purpose provided by the proper officers, which tickets shall be labelled on the outside "amendment;" and those who are favorable to the amendment may express their desire by voting each a written or printed, or partly written and partly printed ballot, containing on the inside thereof the words, "for the amendment." and those who are opposed to such amendment, may express their opposition by voting each a similar ballot, containing on the inside thereof the words, "against the amendment."

How election to
be conducted.

SECTION 2. That the election on the said proposed amendment shall in all respects be conducted as the general elections of this commonwealth are now conducted; and it shall be the duty of the return judges of the respective counties and districts thereof, first having carefully ascertained the number of votes given for or against the said amendment, in the manner aforesaid, to make out duplicate returns thereof, expressed in words, at length, and not in figures only, one of which returns so made shall be lodged in the prothonotary's office of the proper county, and the other sealed and directed to the secretary of the commonwealth, and by one of the said judges forthwith deposited in the most convenient post office.

Secretary of the
commonwealth,
duty of.

SECTION 3. That it shall further be the duty of the secretary of the commonwealth, on receiving the returns for the election for and against the said amendment, to deliver the same to the speaker of the senate, on or before the first Monday after the organization of the next legislature after said returns shall so be received, who shall open and publish the same in the presence of the members of the senate and house of representatives on the next Tuesday thereafter; and when the number of votes given for, and the number of votes given against the said amendment shall have been summed up and ascertained, duplicate certificates thereof shall be signed by the speaker of the senate and speaker of the house of representatives; one of which shall be filed in the office of the secretary of the commonwealth, and the other delivered to the governor, whose duty it shall be to declare by proclamation whether the said amendment has been or has not been approved and ratified by the citizens of this commonwealth.

Sheriffs and com-
missioners of the
counties, duties
of.

SECTION 4. The sheriffs and commissioners of the several counties of this commonwealth shall do and perform all the duties and acts necessary by them to be done to give effect to and carry out the provisions of this act.

J. S. M'CALMONT,
Speaker of the House of Representatives.

V. BEST,
Speaker of the Senate.

APPROVED—The ninth day of April, one thousand eight hundred and fifty.

WM. F. JOHNSTON.