

No. 395.

AN ACT

Relative to the election of auditor general, surveyor general and county surveyors by the people.

Election of auditor general and surveyor general. 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 qualified voters of this commonwealth shall choose by ballot, one person to fill the office of auditor general, and one person to fill the office of surveyor general, on the second Tuesday of October, Anno Domini, one thousand eight hundred and fifty, and at their general election every third year thereafter.

To be commissioned by the governor. SECTION 2. That the auditor general and the surveyor general elected in pursuance of the first section of this act, shall be commissioned by the governor of this commonwealth, and shall assume the duties of their respective offices on the first Tuesday of May next ensuing their election, and shall possess all the powers granted, perform all the duties, and be subject to all the penalties imposed by the existing laws of this commonwealth, relating to auditor general and surveyor general.

Regulation of elections. SECTION 3. That the general election laws now in force for the choice of a governor of this commonwealth, shall regulate the elections of auditor general and surveyor general; and in case any vacancy should occur in either of said offices, by death, resignation or otherwise, the same shall be filled by appointment of the governor; and the person so appointed shall continue in office until the end of the term for which his predecessor was elected.

Repeal. SECTION 4. That so much of the act of twenty-ninth March, Anno Domini, one thousand eight hundred and nine; so much of the act of thirtieth March, one thousand eight hundred and eleven, and so much of any other act or acts of assembly now in force as relates to the appointment of an auditor general or a surveyor general by the governor, be and the same is hereby repealed.

Election of county surveyors. SECTION 5. That the qualified voters of each county of this commonwealth shall on the second Tuesday of October next, and on the same day every third year thereafter, elect one competent person, being a practical surveyor, to act as county surveyor for the proper county for the term of three years, who shall do and perform all the duties, and have and receive all the emoluments now pertaining to the respective deputies of the surveyor general.

Returns of elections. SECTION 6. That duplicate returns of the elections of said county surveyors shall be made out and certified by the return judges, in the manner prescribed by the laws regulating the general elections of this commonwealth; one copy whereof shall be filed with the clerk of the court of quarter sessions of the proper county, and the other transmitted by mail to the surveyor general, to be filed in his office, and notice of his election shall be given by the return judges to the person receiving the highest number of votes; all contested elections under this act shall be subject to the provisions of the laws relating to the trial of contested elections of county officers.

SECTION 7. That the person so elected shall at the next court of quarter sessions of the proper county, or as soon thereafter as practicable, take and subscribe an oath or affirmation to perform all the duties of his office with fidelity. Take oath.

SECTION 8. That the courts of quarter sessions of the respective counties shall have power, on cause shown, to remove any of said county surveyors for neglect, refusal, incompetency, or inability to perform the duties of his office, and shall also remove them on being convicted of any infamous crime or misdemeanor. Removal of county surveyors.

SECTION 9. That in case of any vacancy occasioned by death, resignation, removal or otherwise, it shall be the duty of the court of quarter sessions of the proper county to appoint a competent person, being a practical surveyor, to fill such vacancy until the time prescribed by this act for the election of said officers. Vacancies, how filled.

SECTION 10. That so much of any act of assembly as authorizes the surveyor general to appoint deputies, be and the same is hereby repealed. Repeal.

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.

No. 306.

AN ACT

To incorporate the Yardleyville and Newtown turnpike or plank road company.

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* Jolly Longshore, Amos Vansant, John Yardley, Yeoman Pickering, Elias Gilkyson, George Yardley, George Cunningham, Joseph Taylor, Andrew Smith, John Barnsly, Richard Janney, Joseph H. Yardley, Robert Longshore, William Janney, William Paff, Penquite Lenton, Edward Buckman, Jaseth Satterthwait, S. M. Hough, William Cadwallader, John Sager, Phineas Jenks, J. B. Brown, Charles Beans, Aaron Eastburn, D. Y. Harman, or a majority of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of "The Yard-leyville and Newtown turnpike or plank road company," with power to construct a turnpike or plank road from Yardleyville to the borough of Newtown, in the county of Bucks, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, ap- Commissioners. Subject to provisions of certain act.