

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 That so much of any act of assembly as authorizes the surveyor general to appoint deputies, be and the same is hereby repealed.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

proved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplement thereto, approved the seventh day of April, one thousand eight hundred and forty-nine, excepting so far as may be hereafter provided for.

Capital stock.

SECTION 2. The stock of the said company shall consist of four hundred shares, of twenty-five dollars each: *Provided*, That said company may, by a vote of the stockholders at a meeting called for that purpose, increase their capital so much as in their judgment may be necessary to carry out the true intent and meaning of this act.

Tolls.

SECTION 3. The company shall have power to regulate their tolls within the limits prescribed by the thirteenth section of said act, and the supplement to the same, without reference to the width of wheels in any case, and to charge the same tolls where mules or oxen are used in place of horses.

SECTION 4. The said company shall have power to construct their road on a grade that shall in no place rise or fall more than will form an angle of four degrees from a horizontal line; and that the said company have power to erect gates and collect tolls on said road, when three miles are completed: the company are also authorized to make such arrangements with the townships through which the said road may pass, as can be agreed upon by the citizens of the said townships and the directors of the company.

SECTION 5. Any person who shall drag along or across said road any log, timber, wood or stone, so that the same shall come in contact with the even surface of the said road, or shall injure or spoil any part of said road, or any thing thereunto belonging, he shall, for every such offence, forfeit to the corporation hereby created the sum of ten dollars, which penalty may be recovered by said corporation in an action of debt in any court having cognizance thereof.

Election of officers.

SECTION 6. That if it should at any time happen that an election of president, directors, treasurer, secretary or other officers, shall not be made at the proper time, the corporation shall not for that cause be dissolved; but it shall be lawful to hold and make such election of president, directors, treasurer, secretary or other officers, on any day thereafter, by giving at least ten days' notice, signed by the president or secretary, in one or more newspaper published in the county, of the time and place holding said election; and the president, treasurer, secretary, directors, and other officers of the preceding year, shall in that case continue to act and be invested with all the powers belonging to their stations, until an election shall take place: in case of the death or resignation of the president, directors, treasurer, secretary or other officers, his place may be filled by the board of directors until the next annual election.

Commencement and completion of road.

SECTION 7. That if said company shall not commence the construction of their road within three years after the passage of this act, and complete the same within five years thereafter, this act shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of said company.

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.