

except so far as to pay over the funds which may have come into his hands.

Sequestrator of
goods, chattels,
rents, &c.

SECTION 5. That on the return of an execution unsatisfied against the said corporation, as provided for in the seventy-third section of the act of sixteenth of June, one thousand eight hundred and thirty six, aforesaid, it shall and may be lawful for the court out of which the same issued, upon the application of a majority in value of the bond holders and other creditors of the said corporation, to *sequestrator* the goods, chattels and credits, rents, issues and profits, tolls and receipts of the said corporation, in the manner provided by the said act of sixteenth June, one thousand eight hundred and thirty-six, and to revoke such decree of sequestration on sufficient cause shown: *And provided further*, That said canal company shall not purchase any of its bonds or obligations until the interest is fully paid on all its bonds and obligations in full.

Individual lia-
bility,

SECTION 6. That the stockholders of the Erie canal company shall be liable in their individual capacity for all the debts and liabilities of the said company hereafter contracted; and the said company shall not plead or enjoy the benefits of any of the provisions of this act, until they have first, at a general meeting of the stockholders thereof, accepted the provisions of this act, and agreed to be bound as in this section provided, and thenceforth this section shall be deemed and taken to be a part of the charter of the 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.

No. 308.

AN ACT

Authorizing the laying out of a state road from Washingtonville, in Columbia county, via Turbetville, in Northumberland county, to a point the nearest and most convenient to the borough of Muncy, on the state road leading from Milton to Muncy; and relative to the assessment of road taxes in certain townships in Mifflin county; and to the sale of the Franklin railroad; and to authorize the school directors of Harrisburg to borrow money.

Commissioners to
lay out and mark
State road.

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 George Smith, Samuel Shannon and William A. Petrikin be and are hereby appointed commissioners to view and lay out and mark a state road, beginning at Washingtonville, Columbia county, thence by the

nearest and most practicable route by the way of the village of Turbet-Location.
ville, in the county of Northumberland, to the nearest and most convenient point to the borough of Muncy, on the state road leading from Milton to that place; and in case of resignation or refusal to act by either of said commissioners, it shall be the duty of the judges of the court of quarter sessions of the county in which the commissioner resigning or refusing to act resides, to appoint a substitute.

SECTION 2. That it shall be the duty of the said commissioners to meet at the house of John Derr, in the town of Washingtonville, Co- Place of meet-
lumbia county, on the third Monday of June next, or earlier, and after ing.
having made oath or affirmation before some officer authorized to admin- Take oath.
ister the same, faithfully and honestly to discharge the duties enjoined upon them by this act, proceed to view the ground over which the proposed road is to pass, and lay out the said road upon the best and most practicable route, having regard to the public accommodation, the crossing of streams, the damage to private property, and the nature of the ground, so that a good road may be had; and it shall be the duty of said commissioners to plainly and carefully mark the route agreed upon.

SECTION 3. The commissioners herein named shall receive a per diem allowance of one dollar and fifty cents for each day they and each of Pay of commis-
them shall be necessarily employed in performing the duties under this sioners.
act; and they are authorized to employ one surveyor, who shall receive Surveyor, pay of.
a per diem allowance of two dollars, and two chain-carriers and one axe-man, at one dollar and fifty cents each.

SECTION 4. The said commissioners shall on or before the first day of January next, make out three drafts of said road as located, whereon Drafts.
shall be noted the courses and distances, the crossing of streams, of county and township lines, one of which shall be forwarded by mail to the secretary of the commonwealth, to be filed in his office as a matter To be filed.
of record, and one to be filed in the office of the clerk of the court of quarter sessions in the respective counties through which the road may pass; and from the time of such filing, as last stated, the said road shall be, to all intents and purposes, a public highway, and shall be opened and repaired as hereinafter provided.

SECTION 5. That it shall be the duty of the supervisors of the several townships in the counties through which the said road authorized to be laid out by the foregoing sections of the act aforesaid, shall pass, upon notice being given, to proceed at once to open and make said road as other roads are opened and made; and on failing to comply, the said supervisors, or any of them, shall forfeit and pay a fine of not less than twenty-five dollars, to be collected as other fines are collected; and said fine shall be appropriated to the use of said road; and the justice of the peace before whom information shall have been lodged, shall have power to appoint another person in place of the supervisor refusing to perform the duties prescribed by this act. Duties of the supervisors of townships through which the road passes.

SECTION 6. That the commissioners appointed by or in pursuance of this act, shall have power to vacate any road or part of road which may be rendered useless by the location of the road hereby authorized; and shall have the power to change the location of any part of the road now in use between the points mentioned in this act. Power to vacate roads.

SECTION 7. That the accounts of said road commissioners for their own pay and the pay of those directed to be employed by them under this act, shall be adjusted by the county commissioners of the counties through which the said road may pass, and paid out of the treasuries of the same, according to the time actually required to locate the road within the respective counties. Accounts.

Supervisors of Wayne township, Mifflin county, relative to. SECTION 8. That the supervisors of Wayne township, in the county of Mifflin, shall cause the taxes assessed for road purposes in said township, to be paid and expended in the making and repairing public roads in the manner now provided for by law; and the thirteenth section of an act approved the fifth day of April, A. D., one thousand eight hundred and forty-nine, be and the same is hereby repealed.

Franklin railroad company. SECTION 9. That for the purpose of giving to the creditors of the Franklin railroad company, which was incorporated by the act of twelfth of March, A. D., one thousand eight hundred and thirty-two, a more effectual remedy for the recovery of their debts, and preventing, as far as practicable, the said road from falling into a state of dilapidation, Samuel D. Culbertson, Joseph Snively and William Heyser, of the county of Franklin, are hereby appointed trustees to sell the Franklin railroad, situated in said county: *Provided*, That as many of the creditors of said company as hold one-half of its indebtedness, shall apply to the court of common pleas of said county for an order for the sale of said road; and the said court is hereby empowered, on such application, to issue an order of sale to the said trustees, who, before entering on their duties, shall give such bond or other security for the faithful discharge thereof, as the said court may require; the said order of sale may be continued or renewed as often as the court shall judge expedient; and shall appoint and fix the time and conditions of the sale, and confer full power on the said trustees to sell and convey the said railroad to the highest and best bidder, together with all the rights, franchises, privileges and advantages possessed by the said Franklin railroad company under its charter and the act of incorporation; the said sale shall be subject to the same notice by publication in the newspapers, and the same acknowledgment of the deed and distribution of the proceeds according to law, among the creditors, after deducting therefrom the expenses of the sale and a reasonable compensation for the trustees, as are now required and directed by law in relation to sheriff's sales for the payment of debts; and shall, also, in like manner be subject to the decrees, control and confirmation of said court: *Provided further*, That the purchaser or purchasers of said road, and their vendees and assigns, shall have full power to conduct and manage the business to be done on said road, by such agents and officers as he or they may deem necessary to appoint, who shall be invested with the same rights, privileges and powers, and be subject to the same duties that are conferred and enjoined on the officers of said company by the charter and act of incorporation, and may also use the corporate name and seal of said company; and shall be vested with all its rights and privileges, and be subject to all the restrictions now imposed upon said company in respect to tolls and freight, and hold and enjoy the said road with all the said franchises, rights and privileges, free and discharged from all debts and incumbrances by said sale: *Provided also*, That it shall not be lawful for the said purchaser or purchasers, or their vendees or assigns, to use and occupy the ground in which the said railroad is laid out, for any other purpose than that of accommodating the public by a railroad; nor to sell, destroy or remove the iron rails, bridges and superstructures of the present road, unless with a view to make repairs in the same, or re-lay it: *And provided further*, That the said court making the order of sale shall have power to supply any vacancy that may happen by the death, renunciation or resignation of all or any of the trustees herein named.

Relative to sale of.

Proviso.

School directors of the South ward of the bor-

SECTION 10. That the school directors of the South ward of the borough of Harrisburg, Dauphin county, be and they are hereby authorized to borrow a sum of money not exceeding two thousand dollars, with

which to erect additional school houses; and they are hereby empowered to mortgage any property belonging to said school district for the amount so borrowed. ough of Harrisburg, authorized to borrow money.

SECTION 11. That Lehman street, south-west of the north-east line of the Philadelphia alms-house estate, in Blockley township, Philadelphia county, be and the same is hereby vacated. Lehman street, Philadelphia county, vacated.

SECTION 12. That from and after the passage of this act it shall be the duty of the managers for the relief and employment of the poor of the borough of Manayunk, in the county of Philadelphia, to make annually, on the first Monday of March, a statement of the receipts and expenditures of said managers; and it shall be the duty of the committee on accounts of said council of Manayunk, to audit and adjust the same. Managers of the poor of Manayunk, Philadelphia county, to make annual statement.

J. S. M'CALMONT,

Speaker of the House of Representatives.

V. BEST,

Speaker of the Senate.

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

WM. F. JOHNSTON.

No. 309.

AN ACT

Relating to Alsace township, Berks county; to the borough of Pinegrove, Schuylkill county; relating to the collection of borough taxes in the borough of Milton, Northumberland county; to the Fire insurance company of Northampton county; fixing the place of holding the elections in Wiconisco township, Dauphin; erecting the borough of Prospect, Butler county, into a separate school district; authorizing George Ritter and Rees Evans to sell certain real estate; and changing the place of holding the elections in Brady's Bend township, in Armstrong county.

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 following described part of Alsace township, in the county of Berks, shall be and is hereby separated from the said township of Alsace, and annexed to the township of Cumru, in said county, to wit: beginning at the river Schuylkill, where the line dividing the city of Reading and Alsace township strikes the said river, on lands of Isaac Eckert and company, called the Henry Clay furnace property; thence along said line dividing the said city of Reading and Alsace township, by a course north sixty-nine degrees east one hundred and fifty-six perches to a stone heap, a corner of the said city of Reading and Alsace township, and being also a corner of lands late of Riah Gilson and Peter Strohecker, on the brow of the Never Sink mountain; thence through lands of the said Peter Strohecker, Michael Hawk and company, Wil-

Part of Alsace township, Berks county, attached to Cumru township.