

No. 438.

AN ACT

To incorporate the Unity turnpike and plank road company; to authorize the commissioners of Greene and Somerset counties to borrow money; to revise the levels and grades of streets in Southwark and Moyamensing, Philadelphia county; and to authorize the commissioners of the Northern Liberties, in said county, to build market houses on Franklin street, and to lay iron pipes on Girard avenue.

- Commissioners.** 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 Samuel P. Cummins, John M'Farland, Wm. S. Hood, William Anderson, Joseph Buckholder and Alexander Johnston, of Westmoreland county, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name and style of "The Unity turnpike and plank road company," with power to construct a turnpike or plank road, or a road part turnpike and part plank, from Alexander Johnston's, in Westmoreland county, to intersect the Pennsylvania railroad at the depot, or near the farm of Henry Buckholder, in Derry township, said county, by such route as may be agreed upon and adopted by the stockholders, or a majority of them, at a meeting to be held for that purpose, subject to all the provisions and restrictions, except when it is otherwise provided in this act, of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplement to said act, approved the seventh day of April, one thousand eight hundred and forty-nine: *Provided,* That the number of managers under this act shall be three.
- Style.**
- Location.**
- Subject to provisions of certain act.**
- Capital stock.** SECTION 2. That the capital stock of said company shall consist of one hundred shares, at twenty-five dollars per share: *Provided,* That said company may from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as in their opinion may be deemed necessary to complete the road and to carry out the true intent and meaning of this act.
- Commissioners of Greene and Somerset counties authorized to borrow money.** SECTION 3. That the commissioners of Greene and Somerset counties respectively, are hereby authorized to borrow money on the faith and credit of said counties, any sum not exceeding ten thousand dollars each, at a rate of interest not exceeding six per cent. per annum, and for such length of time as they shall deem proper, to be expended in the erection and improvement of the public buildings in the aforesaid counties.
- Southernmost boundary line of the district of Southwark altered.** SECTION 4. That the southernmost boundary line of the district of Southwark, in the county of Philadelphia, being a portion of the line between that district and the district of Moyamensing, is hereby altered, and shall hereafter be fixed and established as follows, to wit: beginning on the river Delaware at the south side of Mifflin street as laid out but not yet opened, through the said districts of Southwark and Moyamensing; thence westwardly along the south side of the said Mifflin to the west side of Delaware Fifth street; thence crossing Mifflin street to the north side thereof; thence continuing westward along

the north side of Mifflin street to the east side of Delaware Seventh street; thence northward along the east side of said Seventh street to the north side of Reed street; thence westward along the north side of said Reed street to the westernmost boundary line of the said district of Southwark, being the westerly side of the Passyunk road.

SECTION 5. In all the streets forming the boundary line fixed by the preceding section, it shall be lawful for the authorities of the districts within which the said streets are located, to curb, pave and lay water pipes in the manner prescribed by existing laws governing said districts respectively, and the said districts shall have all legal remedies for the recovery of the cost and expenses of such curbing, paving and laying water pipe from the property fronting on both sides of such streets, in like manner as if such property was entirely within the jurisdiction of the district by which such water pipe has been laid, or curbing or paving done.

Relative to streets forming said boundary.

SECTION 6. Inasmuch as the grades of the water courses adjacent to the late Delaware and Schuylkill canal, in the districts of Southwark and Moyamensing, were fixed and established to suit the said canal, being in some instances a dead level for several squares, then suddenly rising or falling six or eight feet in a single square, and the said canal being now given up and abandoned; therefore, it shall be lawful for the regulators of the districts of Southwark and Moyamensing, to revise the grades of the several streets laid out and opened, or to be hereafter opened, crossing or running adjacent to the line or bed of the said Delaware and Schuylkill canal, and to fix and establish anew the lines and descents of the water courses of the said streets, and the route of such culverts and common sewers as may be necessary: *Provided*, That such new regulation shall in all cases conform in their connecting points with the regulations of the water courses heretofore fixed and established.

Regulators of the districts of Southwark and Moyamensing authorized to revise the grades of the streets, &c.

SECTION 7. When the lines and descents of the said water courses have been revised and fixed and established as aforesaid, the said regulators shall make an accurate plan thereof, with all the necessary figures, showing the present surface of the ground, and summits and descents of the water courses along the several streets; and the said plan when completed, shall be filed in the office of the clerk of the court of quarter sessions of the county of Philadelphia; and the said court of quarter sessions shall direct public notice to be given of the filing of the said plan, and that on a certain day the said court will hear objections, if any be offered, from any of the property owners affected or disturbed by said regulation; and the said court shall have power to adjudicate and determine upon the said regulation, and when the regulation as delineated on the said plan, shall be finally confirmed by the said court, it shall thereby become the permanent regulation of the district or territory embraced in said plan.

Plan thereof to be made.

SECTION 8. That the charter of the Delaware and Schuylkill canal company be and is hereby revived with like powers, rights and restrictions as if the same had never expired; and that the last elected president and directors shall be officers of the company until an election shall be duly held; and the president and directors are hereby authorized and required to call in the instalments due by stockholders, and collect moneys due to the company, and to pay contractors and others for work done on said canal: *Provided*, That nothing herein contained shall be construed to prevent the survey directed to be made by the sixth and seventh sections of this act.

Charter of the Delaware and Schuylkill canal company revived.

SECTION 9. That it shall and may be lawful for the board of commissioners of the incorporated district of the Northern Liberties, in the county of Philadelphia, to erect and build or to cause to be erected

Board of commissioners of the incorporated district of the

Northern Liberties authorized to build a market house. and built in Franklin street, between Apple and Fifth streets, in the said district, a market house or market houses, which shall be built in the centre of the said street, not exceeding in width the market house now erected on said Franklin street in the district of Kensington.

J. S. M'CALMONT,

Speaker of the House of Representatives.

V. BEST,

Speaker of the Senate.

APPROVED—The fifteenth day of May, one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No. 439.

AN ACT

Relative to the Columbia Lyceum and Mechanics' Institute; to the act relating to inspections; to the claims of David King, of Venango county; and of the heirs of John Bennet, of Lycoming county, deceased; to authorize James T. Crabb to sell certain gun-powder in the county of Philadelphia; relative to the estate of Francis Harley, senior, deceased; and a supplement to an act relating to registers and registers' courts, passed March fifteenth, one thousand eight hundred and thirty-two.

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 corporate powers and privileges of the Columbia Lyceum and Mechanics' Institute, in the borough of Columbia, Lancaster county, are hereby revived and confirmed, and shall hereafter be and remain in as full force and virtue as if the organization of the said lyceum and institute had been continuously maintained since its incorporation by the courts of Lancaster county; and the failure of the members of the said lyceum and institute to elect officers according to the provisions of their constitution and by-laws, shall not in any way affect the validity of their charter; and it shall be lawful for any of the members of said lyceum and institute at any time hereafter, by a public notice published for three successive weeks in one or more newspapers printed in Lancaster county, to call a meeting of the members of said lyceum and institute for the purpose of electing officers for the same; and the individuals elected at such meeting so called, shall, to all intents and purposes, be the lawful officers of said lyceum and institute, and shall hold their offices respectively until the period of the next annual election under the laws of the said lyceum and institute, or until other officers shall be duly elected.

SECTION 2. The personal property of the said Columbia Lyceum and Mechanics' Institute shall in all cases be exempt from levy and sale on execution or by distress for rent.

Columbia Lyceum and Mechanics' institute, corporate powers of, revived.

Personal property exempt from levy and sale, &c.