

[No. 72.]

AN ACT

To appoint Commissioners to Re-survey and mark that portion of the county line, which divides the township of Bristol, in the county of Philadelphia, from the township of Cheltenham, in the county of Montgomery, and for other purposes.

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 John Foulkrod, of Philadelphia county, Joel K. Mann, of Montgomery county, and Henry Tremper, of Bucks county, be and they are hereby appointed commissioners for the purpose of re-surveying and marking definitely the line which divides the township of Bristol, in the county of Philadelphia, from the township of Cheltenham, in the county of Montgomery, as near as possible, in accordance with the original survey.

Commissioners
to run the tp
lines

SECTION 2. That said commissioners shall, as soon as convenient after the passage of this act, survey and mark the line aforesaid, agreeably to the provisions of the first section of this act, and make two drafts of the same, inserting the courses and distances on the drafts in words at full length, one of which they shall deposit in the prothonotary's office of Philadelphia county, and one in the prothonotary's office of Montgomery county, which shall thereafter be considered a public record, and the line so run and marked shall be the established boundary between the counties as aforesaid.

To mark the
lines

SECTION 3. That said commissioners shall employ a competent surveyor and two chain carriers to assist them, and said commissioners shall receive two dollars per day for the time they may be necessarily employed in performing the duties enjoined upon them by this act, and shall be allowed a reasonable compensation for a surveyor and chain carriers, whom they may employ as aforesaid, and the expenses incurred in running and marking the said line, shall be paid equally by the counties aforesaid, by orders drawn by the commissioners of said counties, on their respective treasurers, in the usual manner.

To employ
surveyors and
chain carriers

SECTION 4. The commissioners appointed by the first section of this act, or any two of them, shall have power, in case any one of them cannot attend to the duties enjoined upon them by this act, to appoint another to fill the vacancy: *Provided,*

Vacancies to
be filled

however, That he shall be selected from the county in which the vacancy may occur.

SECTION 5. That the Warren and Ridgeway turnpike road company, having completed their road from Warren to the New York state line, a distance of about eleven miles, and from the Allegheny river to Ridgeway, a distance of about thirty-two miles, be and are hereby exempted from that obligation to complete that part of the same lying between Warren and the Allegheny river, where the line of said road crosses the same; and shall have as full power and authority to demand, receive and collect tolls, and to sue and recover fines and forfeiture for evading the gates, or refusing to pay tolls, that they could or would have, to do the whole length of road completed, according to the provisions of the act entitled "An act authorizing the governor to incorporate the Warren and Ridgeway turnpike road company," passed the thirtieth day of March, one thousand eight hundred and thirty-one: *Provided*, That no toll shall be charged for travelling that part of said road lying between Warren and the Allegheny river, where the line of said road crosses the same.

SECTION 6. That it shall be lawful for said company to negotiate with the supervisors of the roads of any township or townships through which any part of said road may pass, and to place the same under their charge to be used as a public road for any term of years, and on any terms which may be agreed upon between such supervisors and the managers of said company, and without charge of tolls to the inhabitants of such township or townships.

SECTION 7. That the landholders in the county of Adams, through whose lands the state road leading from Dillsburg, in the county of York, to the west end of the bridge over Conewago creek, near the town of East Berlin, Adams county passes, are hereby authorized to reduce said road to the breadth of thirty-three feet, so far as the same passes through the county of Adams, under the direction of supervisors of the township or townships, in the county of Adams, through which the said road passes, at the proper costs and charges of the said landholders: *Provided however*, That nothing herein contained shall be so construed as to authorize any change in the location of said road in any part of its route.

SECTION 8. That from and after the time when this act will take effect, it shall not be lawful for any person within the counties of Allegheny or Franklin to shoot, kill, or otherwise destroy, during the months of March, April, May, June, July, and the first ten days in August, in each and every year thereafter, any robin, flicker, bluebird, woodpecker, thrush, birds not to be killed in certain seasons in Allegheny or Franklin counties

or other insectivorous bird, blackbirds and crows only excepted, under a penalty of two dollars for each and every offence.

Pheasants
not to be killed
in certain
seasons

SECTION 9. That from and after the passage of this act, no person shall shoot, or otherwise kill in the said county, any pheasant, between the first days of February and August, nor any partridge between the first day of February and the twenty-fifth day of September, nor any woodcock before the first day of July, in any year hereafter, under a penalty of five dollars for each and every offence.

Not to be sold
in market unless
killed in
proper season

SECTION 10. No carrier, huckster, victualler, innkeeper, or any other person shall have in his or her possession, or buy or cause to be bought, or carry out of the said county, for the purpose of supplying any market, any pheasant, partridge or woodcock, unless the same shall have been shot or taken in the proper season, under a penalty of five dollars for each and every offence.

Penalty

SECTION 11. Any person offending against any of the provisions of this act, shall forfeit and pay the sum or fine attached to the same, with all costs and charges, which may be recorded* before any alderman or justice of the peace, for the county aforesaid, the one half of the fine for the use of the informant, and the other half for the use of the county.

SECTION 12. That this act shall not prevent any person or persons from shooting, or otherwise killing game, or insectivorous birds, on his, her or their own property, at any season of the year.

SECTION 13. That this act shall not interfere with any existing law or laws, to prevent trespass, or the firing of guns, near public highways.

Not to take
effect till Jan-
uary 1843

SECTION 14. That the eighth, ninth, tenth, eleventh, twelfth and thirteenth sections of this act, shall take effect on the first day of January, Anno Domini one thousand eight hundred and forty-three, and not before.

Sale of land
by religious
congregations

SECTION 15. That the trustees or a majority of them, of the German Reformed Congregations of Youngmanstown, Longstown, Driesbach's meeting house, and Aaronsburg, in the counties of Union and Centre, be and they are hereby authorized and empowered, to sell and convey by deed or deeds, to the purchaser, a certain lot of land situate in Youngmanstown, Union county, adjoining the road leading from Youngmanstown to Lewisburg, a lot of Richard Van Buskirk, and a lot of Thomas Youngman, containing one and one fourth acres, more or less, it being the same premises, which Frederick Conrad and wife, by Indenture bearing date the thirty-first day of March, one thousand eight hundred and ten, for the consideration therein

* Recovered.

mentioned did grant and confirm to Henry Yorick and others, trustees as aforesaid.

SECTION 16. In all cases of the division of any township by the court, the justices commissions in such township before such division, shall continue for the proper new township in which one or more of said justices may reside, for the balance of the official term, and their official acts, shall be valid as if no such division had taken place, and the deficiency of justices in either portion erected into a new township shall be supplied in the manner now directed by law in case of other vacancies.

Justices to hold their commission when township is divided

SECTION 17. That the name, style and title of the McKean Female Seminary of Troy, in the county of Bradford, be and the same is hereby changed, and shall hereafter be known as an Academy by the name, style and title of "The Trustees of the Troy Academy," and by the said name shall have all the rights, privileges, benefits and immunities, which have heretofore been granted to said seminary by any laws now in force.

Name of the female seminary in Troy changed

SECTION 18. That the qualified voters of the township of Wysox, in the county of Bradford, shall hold their general elections at the house of George Scott in said township.

Election Wysox township changed

SECTION 19.. The qualified voters of Wyalusing township, in the county of Bradford, shall annually, at the time and place of electing a constable, elect three supervisors who shall hold their office for one year. The auditors of said township shall meet and proceed to settle the accounts of the officers thereof, in the manner provided by law, within two weeks after the first Friday in February in each year, and so much of any law as is by this section altered or supplied is hereby repealed, so far as relates to the said township.

Three supervisors to be elected in Wyalusing township Bradford co.

SECTION 20. That in the election of justices of the peace, so much of the borough of Lewistown, in the county of Mifflin, as lies east of the Millerstown and Lewistown turnpike road and Main street, is hereby erected into a separate ward, which shall hereafter be called East ward, and all of said borough which lies west of said turnpike and street, is hereby erected into a separate ward to hereafter be called the West ward.

New ward created in the borough of Lewistown

SECTION 21. That the qualified voters of each of said wards, shall on the third Monday of April, one thousand eight hundred and forty-two, elect one qualified citizen to serve as justice of the peace, for each of said wards, in addition to the justices now commissioned for said borough, which election shall be held at the court house in said borough, and conducted in the same mode and manner provided for by the act of Assembly, regulating the election of justices of the peace, passed

Time of electing justices of the peace

the twenty-first day of June, eighteen hundred and thirty-nine, and by the officers elected to hold the general election in October next: *Provided*, That the said officers shall procure separate boxes for each of said wards, in which to deposite the tickets voted for such justices by the voters resident in their respective wards.

SECTION 22. That the justices of the peace elected under the provisions of this act, shall be commissioned on their complying with the requisitions of the act, of twenty-first June, one thousand eight hundred and thirty-nine, shall have the same jurisdiction, and be subject to the same penalties imposed on justices of the peace by said act.

Justices when
commissioned

SECTION 23. It shall and may be lawful for all persons, going to and from church or funerals over Duncan's Island Bridge, to pass and re-pass free of tolls.

Election of
constables in
Shirleysburg

SECTION 24. That the qualified electors of the borough of Shirleysburg, in the county of Huntingdon, shall annually, at the same time and place when they meet to choose their borough officers, elect two reputable citizens in said borough, and return their names to the next court of quarter sessions of said county, one of whom shall be appointed by said court, constable for said borough for one year, in the same manner, with like power and authority, and subject in every respect to all the provisions of the existing laws relative to constables throughout this commonwealth.

SECTION 25. That all the lands situate between the western boundary line of said borough, and the Aughwick creek, including lands of W. B. Hudson, David Fraker, heirs of John Oliver, deceased, John Lutz, and Thomas Askin, be and the same constitute a part, and included in the territorial limits of said borough.

SECTION 26. That from and after the passage of this act, the borough of Shirleysburg shall constitute a separate school district, and to be subject to all laws relative to a general system of eduction, by common schools within this commonwealth.

Authorizing
the sale of
land in
Greencastle
by John Tri-
tle and Jacob
Byer

SECTION 27. That John Tittle and Jacob Byer, of the county of Franklin, or the survivor of them, be and they are hereby authorized to sell and convey in fee simple, two lots situate on the west side of Carlisle street, in the borough of Greencastle, and known in the general plan of said town, as lots number one hundred and forty-one, and one hundred and forty-two; and held by the said John Tittle and Jacob Byer, by a deed of conveyance in trust, for certain uses therein mentioned, for the Lutheran congregation of the borough aforesaid: *Provided*; That before the said John Tittle and Jacob

Byer, shall convey the said lots, they shall give bond in such form for such sum, and with such sureties, as the said congregation may require, conditioned for the faithful performance of the trust reposed in them, and for the proper application of the proceeds of said sale.

SECTION 28. That the officers' elected by the citizens of Standingstone township, in Bradford county, and the citizens of Blossburg township, in Tioga county, at the time for holding township elections, in said counties, in the present year, shall hold their respective offices until the next annual township elections of said townships, and they shall have all the powers, and be subject to all the duties, liabilities and penalties, as if elected at a time and place fixed by law for the election of constables, and the elections so held in said townships are hereby declared valid to all intents and purposes.

Election of
officers in
Blossburg
Standingst'ne

WHEREAS, The original survey of the borough of Saltsburg, in the county of Indiana, has by some means become mislaid or lost, in consequence of which a re-survey of said borough was made by authority of the burgesses and town council aforesaid, on the tenth day of July, one thousand eight hundred and forty, by John Tayler, Esquire, differing in no material from the original survey, and no property effected thereby. Therefore.

SECTION 29. That the said survey made by John Tayler, Esquire, on the tenth day of July, one thousand eight hundred and forty, of the borough of Saltsburg, in the county of Indiana, be and same is hereby confirmed, and shall have full force and effect in law.

confirmed

SECTION 30. An act relating to the liens of mechanics and others upon buildings, passed the sixteenth day of June, one thousand eight hundred and thirty-six, shall be and the same is hereby extended and declared to be in full force and operation in the county of Greene, and mechanics and others in said county shall have like remedy under the said act, as though it was herein enacted at full length.

Mechanics
lien law ex-
tended to
Green co

SECTION 31. That it shall be the duty of every assessor in the county of Northampton, on or before the day of appeals in every year, to return the names of two respectable citizens of his ward, township, or district, to the commissioners of said county, one of whom shall be appointed collector, if he shall give security according to law, stating the amount not exceeding five per centum for which he will agree to collect the county rates and levies, and state taxes, for such ward, township or district, and that the commissioners on the final settlement of the duplicate of every collector shall allow such collector the amount per centum for which he has agreed

Return of
assessors in
the county of
Northampton

LAWS OF PENNSYLVANIA

to collect the same, and pay the difference between the per centum compensation which he shall agree to receive, and the said five per centum to the school directors of such ward, township, or district, for common school purposes, or where the common school system is not in operation for the education of poor children, agreeably to the provisions of an act, entitled "an act to provide for the education of the poor gratis, passed the fourth day of April, one thousand eight hundred and nine."

SECTION 32. That the State Treasurer is hereby authorized and required, to pay Lewis Horton, and George Farrow, five hundred dollars out of any money not otherwise appropriated in the treasury, in full for work done on section forty-three, Beaver Division, Pennsylvania Canal, agreeably to a resolution of the board of canal commissioners, adopted the seventh day of January, one thousand eight hundred and thirty-seven; in pursuance of a resolution of the legislature, passed on the twenty-seventh day of February, one thousand eight hundred and thirty-six: *Provided*, That the amount allowed by the resolution of the Canal Commissioners on the seventh of January, one thousand eight hundred and thirty-seven, nor any portion of it, has not been paid, if that amount is due and unpaid.

SECTION 33. That Samuel Marshall, John Wilson, Jacob Conrad, Levi B. Page, and G. F. Mathiot, trustees of the Methodist Episcopal Church of Connelville in the county of Fayette, are hereby authorized to convey, agreeably to any contract or contracts entered into for that purpose, the following real estate, situate in the town of Connelville and county aforesaid; to-wit: the one half of lot numbered thirty-seven in the plan of said town, bounded as follows: the east by Prospect street, west by a lot lately the property of Rachael Clayton, north by Orchard alley, and south by the other half of said lot, with the appurtenances; also one other lot lying in that part of said town known as the new part of the town of Connelville, bounded on the west by Spring street or State road, east by lands of Joseph Herbert, north by a lot owned by John Balsley, and south by a lot now or lately the property of Sarah Keeper, together with all the right, title, and interest of the Methodist Episcopal Church and trustees aforesaid, in and to the before described property, agreeably to the terms of any contract or contracts heretofore entered into for that purpose, and to make and execute a good and sufficient deed or deeds to the purchaser or purchasers for the same.

SECTION 34. WHEREAS, an appropriation of one thousand two hundred and six dollars, made to pay George Brusler, and others, on the West Branch Canal, falls short of paying said

Brusler, by the sum of eighty dollars and seventy-five cents; Therefore, *Be it enacted*, That the state treasurer is authorized and required to pay said balance of eighty dollars and seventy-five cents, out of any money in the treasury not otherwise appropriated.

SECTION 35. That the supplement passed the sixth day of May, one thousand eight hundred and forty-one, to an act entitled an "act to incorporate a company to make a turnpike road from the borough of Blairsville, in Indiana county to Mount Pleasant, in Westmoreland county, passed the tenth day of April, one thousand eight hundred and thirty-five, and for other purposes," be and the same is hereby repealed, so far as relates to the said turnpike company. Turnpike road to Mount Pleasant West'd county repealed

SECTION 36. That the surviving trustees, or a majority of them, appointed in and by an act entitled "an act incorporating a school at Meadville," passed the twenty-second day of March, eighteen hundred and seventeen, be and they are hereby authorized and empowered to convey by deed to the trustees of the "Meadville Female Seminary, and their successors in office, all that certain lot of land with the appurtenances situate in the borough of Meadville, in the county of Crawford, together with all rents now due, or which have heretofore been received, and not applied to the purposes of education, which said lot of land was conveyed by David Mead, by deed dated the twenty-third June, seventeen hundred and ninety-six, to the trustees referred to in the preamble to the said act, which said deed is recorded in the office for recording of deeds in and for the county of Allegheny, in book H, page four hundred and fifty-six, and the said Trustees of the said Female Seminary, are hereby authorized and empowered to sell and convey by deed or deeds, the said lot with the appurtenances to the purchaser and to apply the proceeds of such sale to the use and benefit of said Female Seminary. Trustees of a school at Meadville authorized to convey real estate

SECTION 37. That the qualified electors of the townships of Tioga, Lawrence, and Richmond, in the county of Tioga, shall hereafter each elect one additional supervisor of the highways, to the number which may now be elected annually, at the usual time and place appointed by law, for the election of supervisors of the several townships of this commonwealth. Tioga and Lawrence townships to elect three supervisors

SECTION 38. That David Winton, of Rome township, Ransom Kingsley, of Troy, Crawford county, Andrew Irvin, and Josiah Hall, of Warren, Warren county, be and they are hereby appointed Commissioners, and Edward Shippen, of Meadville, Crawford county, Surveyor, for the purpose of re-surveying and marking definitely the line between Crawford counties and Warren counties, beginning at the south east corner of Line to be marked between Crawford and Warren

Crawford county, and the south west corner of Warren county, running as near as possible to the original line run at the division of said counties.

SECTION 39. The said Commissioners shall, as soon as convenient, after the passage, survey and mark the line aforesaid, agreeable to the provisions of the first section of this act, and to make two drafts of the same, inserting the courses and distances on the drafts, in words at full length, one of which they shall deposite in the Prothonotary's office of Crawford county, and one in the Prothonotary's office of Warren county, which shall hereafter be considered a public record, and the line so run and marked shall be the established boundary between the counties aforesaid.

SECTION 40. That said Commissioners shall employ two competent chain carriers to their assistance, for which said Commissioners shall receive two dollars per diem for the time necessarily employed, in performing the duties enjoined in this act, and shall be allowed a reasonable compensation for the chain carriers, which they may employ in executing the same, and the expenses incurred in running and marking the said line, shall be paid by the county commissioners of the counties aforesaid, each an equal half part thereof.

SECTION 41. The Commissioners appointed by the second section of this act, or any two of them, shall have power, in case any one of them cannot attend to the duties enjoined upon them by this act, to appoint another to fill the vacancy: *Provided however,* That he shall be selected from the county in which the vacancy may occur.

SECTION 42. That the Commissioners appointed in the first section of the act, entitled "an act to provide for the erection of a house for the employment and support of the poor of the county of Bedford," passed the thirty-first day of March, eighteen hundred and forty-one, or a majority of them, shall meet at such time and place as may be hereafter appointed by the sheriff of said county, for the purpose of determining upon and purchasing such real estate as they shall deem necessary for the accommodation of the poor of said county, and that the same shall be as valid in every respect, as if the purchase thereof had been made previous to the first of January, eighteen hundred and forty-two; the Sheriff to give notice of the time and place of meeting, as provided in said act.

SECTION 43. That the sum of twenty-five cents shall be paid by the Commissioners, for every full grown grey fox killed in the county of Juniata, to be paid in the manner and upon the same evidence, as is required in relation to red fox scalps in said county.

SECTION 44. From and after the passage of this act it shall not be lawful for any court to grant a tavern license to any person holding or exercising the office of Sheriff in this Commonwealth, or to any house occupied by a sheriff: *Provided*, The said house be situate in the county town: *And Provided further*, That the provisions of this section shall not apply to the counties of Mifflin, Juniata, Clearfield, Luzerne and Montgomery.

SECTION 45. That Thomas Cairns, of Beaver county, State road William Stoughton, and William R. Wallace, of Mercer from New county, be and they are hereby appointed commissioners to Castle on the view, lay out, and mark a state road from the village of New county line Castle, thence due east along the county line, between the counties of Beaver and Mercer, to the Pittsburg and Mercer road, at or near Luke C. Emerys, a distance of about ten miles.

SECTION 46. That it shall be the duty of said commissioners respectively, or a majority of them, after taking and subscribing an oath or affirmation before a justice of the peace to perform the duties enjoined upon them by this act with impartiality and fidelity, to carefully view the ground over which said road may pass, and to lay out the same as near to a straight line between the aforesaid points, as the nature of the ground and other important circumstances will permit.

SECTION 47. That it shall be the duty of said commissioners respectively, plainly, and distinctly to mark the ground on the route agreed upon for the road aforesaid, in such manner as to enable the supervisors readily to find the same, and for the purpose of fulfilling the duties in this act enjoined, the commissioners respectively are hereby authorized to employ one surveyor at a per diem allowance not exceeding two dollars, and two chain carriers at a per diem allowance not exceeding one dollar, and the said commissioners respectively shall receive a per diem allowance of one dollar and fifty cents, for each and every day necessarily spent in discharge of the duties enjoined by this act, to be paid in manner and form as hereinafter directed.

SECTION 48. That it shall be the duty of said commissioners to make out a fair and accurate draft of the location of said road, noting thereon the courses and distances as they occur, the improvements passed through, and also the crossing of township lines, roads and waters, with such other matters as may serve for explanation, one copy whereof shall be deposited in the office of the Secretary of the commonwealth, on or before the third Monday of September next, and one copy in the office of the clerk of the court of quarter sessions in the respective counties on the day aforesaid, or as much

sooner as practicable, which shall be a record thereof, and from thenceforth the said road shall be to all intents and purposes a public highway, and shall be opened to the breadth and repaired in all respects as roads are opened and repaired which are laid out by order of the courts aforesaid.

Commission-
ers to be paid
out of county
funds

SECTION 49. That the accounts of said commissioners for their own pay, and the pay of surveyors, chain carriers, and so forth, shall be made out and returned to the commissioners of the counties of Beaver and Mercer, in proportion to the time severally spent by them in each of the respective counties in locating said road, and that they be paid out of the treasury of each of the aforesaid counties, on warrants drawn in the usual way.

JAMES ROSS SNOWDEN,

Speaker of the House of Representatives.

JOHN STROHM,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, one thousand eight hundred and forty-two.

DAVID R. PORTER.

[No. 73.]

A N A C T

To enable the Bank of Pennsylvania to make an assignment for the payment of its debts, and for other purposes.

Manner of ap-
pointing as-
signees and
the number

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 if the stockholders of the bank of Pennsylvania, at an adjourned meeting, or any general meeting, called by the directors, or holden in pursuance of their charter, shall decide by a majority of the votes then and there present, or represented, according to the scale of votes allowed at elections of directors, that it is expedient for the said bank to make a general assignment of the real and personal estate of the said corporation to trustees, for the payment or securing the payment of the debts of the same, and