

16th Div.
Militia divi-
ded into three
brigades

Election of
officers

SECTION 20. That from and after the passage of this act, the sixteenth division of the militia of Pennsylvania, shall be divided into three brigades, the county of Butler shall form the first brigade, the county of Mercer shall form the second brigade, and the county of Beaver shall form the third brigade. The Brigade Inspector of the first brigade shall perform all the duties of brigade inspector in the third brigade, until a brigade inspector shall be elected, and commissioned in said brigade; and the militia of the several brigades of the said division shall hold their elections for division, brigade, regimental, battalion and company officers, and make return of the same according to law. The regimental battalion and company training in the said division shall be held in May next, in the same manner as they have heretofore been done, without being affected by the provisions of this act.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

JOHN STROHM,
Speaker of the Senate.

APPROVED—The eighth day of April, one thousand eight hundred and forty-two.

DAVID R. PORTER.

[No. 91.]

A SUPPLEMENT

To an act, entitled "An act authorizing the Governor to incorporate the Tioga Navigation Company," passed the twenty-six day of February, one thousand eight hundred and twenty-six, and for other purposes.

Service of
writ on com-
pany

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 whenever any summons or other process against the Tioga Navigation Company shall be placed in the hands of the sheriff, or other proper officers for service, it shall be lawful for him, when he cannot find the president secretary, or chief clerk, in the county of Tioga, to serve the same upon the principal engineer of the company having supervision of their rail road, or upon the general or any acting

agent of said company, which service shall have the same effect as if it had been made upon the president of said company.

SECTION 2. That the several companies of militia of the one hundred and forty-second regiment shall hereafter hold their elections for brigadier general, brigade inspector, colonel, lieutenant colonel and majors, within the bounds of their respective companies, at the time appointed by law, and at such place as may be designated by the brigade inspector; and the brigade inspector shall appoint some proper persons to superintend and conduct the elections within the bounds of the several companies, and the said election shall in every respect be governed by the same rules and regulations, and returns made in the same manner as is prescribed, for similar elections in battalions by the act of Assembly of this commonwealth.

Election of officers in the 142 regiment

SECTION 3. That from and after the passage of this act, the sixteenth division of the militia of Pennsylvania, shall be divided into three brigades; the county of Butler shall form the first brigade, the county of Mercer shall form the second brigade, and the county of Beaver shall form the third brigade; the brigade inspector of the first brigade, shall perform all the duties of brigade inspector in the third brigade, until a brigade inspector shall be elected and commissioned in said brigade; and the militia of the several brigades of the said division shall hold their elections for division, brigade, regimental, battalion, and company officers, and make return of the same according to law; the regimental battalion and company training in the said division shall be held in May next, in the same manner as they have heretofore been done without being affected by the provisions of this act.

The 16th division divided into three brigades

SECTION 4. The volunteer companies now organized, or that may be hereafter organized, within the bound of the counties of Mifflin and Juniata, shall form one regiment to be called the Brady Regiment, and shall have the same officers as is provided for a regiment by the act of second of April, one thousand eight hundred and twenty-two, and shall in all respects be subject to the provisions of said act, and other acts regulating militia and volunteer, excepting so far as the same may be repealed or inconsistent with the present act.

Volunteer companies in Mifflin co to be called Brady regiment

SECTION 5. The volunteer companies within the bounds of the county of Mifflin, shall form one battalion, and the volunteer companies within the bound of the county of Juniata, shall form the other battalion of said regiment.

To form one battalion

SECTION 6. The Adjutant General is hereby empowered and directed to issue an order, for the requisite number of swords and pistols to the keeper of any of the state arsenals, where the same may be deposited, in favor of the troop of horse

Adj'tant Gen-eral to furnish swords and pistols

now being raised in Juniata county, as soon as he shall receive a certificate from the proper brigade inspector that they have been organized: *Provided*, They comply as to giving security with the present laws regulating the issue of arms, &c.

Election of
Lurgan tp
Franklin to be
changed

SECTION 7. That the qualified voters of Lurgan township, in the county of Franklin, shall hereafter hold their elections at the new school house in the village of Roxbury in said township.

St Thomas
township
Franklin to
change

SECTION 8. That the qualified voters of St. Thomas township, in the county of Franklin, shall hereafter hold their elections at the house of Samuel Brindle, in the village of St. Thomas in said township.

Snyder tp
Huntingdon
co changed

SECTION 9. That the qualified voters of Snyder township, in the county of Huntingdon, shall hereafter hold their elections at the Bald Eagle school house in said township.

Springfield tp
Delaware co

SECTION 10. That the qualified voters of Springfield township, in the county of Delaware, shall hereafter hold their general elections at the house now occupied by John Ford in said township.

Birmingham
Delaware co

SECTION 11. That the township of Birmingham, in the county of Delaware, shall be a separate election district, and hold their elections at the public house of Milton Stamp in said township.

West Ward
in Reading

SECTION 12. That hereafter the qualified voters of the northwest ward in the borough of Reading, in the county of Berks, shall hold their general elections at the house of Jacob Donohower in said ward.

East Penns-
boro C'mber-
land co
changed

SECTION 13. That hereafter all that part of the township of East Pennsboro', in the county of Cumberland, lying north and east of the Allen township line, and the road from near Adam Eichelbergers, across the North mountain, shall be a separate election district, and hold their general elections at the house now occupied by Henry Church, at the west end of the Harrisburg bridge.

Lenox tp Sus-
quehanna co

SECTION 14. That the qualified voters of Lenox township, Susquehanna county, shall hereafter hold their general elections at the house of Rollin Bells in said township.

Manor town-
ship Lancas-
ter co

SECTION 15. That so much of the township of Manor, in the county of Lancaster, as was heretofore included in the first district, and was by the act of April sixteenth, Anno Domini one thousand eight hundred and thirty-eight, entitled "An act regulating election districts," included in the Indiantown district, shall be and hereby is re-attached to the former district, and the electors thereof shall hereafter vote with, and be considered as part of the said district.

SECTION 16. That the borough of Westnewton, in the county of Westmoreland, be and is hereby created into a separate election district, and the qualified electors of said borough shall hold their first election in the school house in October next, and annually thereafter, to be conducted in the same manner as prescribed in the general election laws of this commonwealth; Samuel Hibben shall conduct said election as judge, and Micazah P. Smith and Andrew B. Funk as inspectors.

Westnewton
Westmore-
land co

SECTION 17. The qualified electors of said borough shall at any time, after ten days public notice, elect one citizen high constable of said borough to serve process and receive fees, and have and enjoy all the powers and privileges, and subject to the same restrictions and penalties as constables of townships, and also to elect two persons to settle public accounts of said borough, and to elect thereafter annually at the March election, and so much of an act of assembly as authorized South Huntingdon, to elect two constables, one of whom to reside in Westnewton is hereby repealed.

To elect a
high const'ble

SECTION 18. That the citizens of East Bethlehem township, Washington county, shall hereafter hold their general and township elections at the house of Zephaniah B. Riggle.

East Bethle-
hem Wash-
ington co

SECTION 19. That from and the passage of this act, the fees to be received by the measurer of grain, or his deputies for the port and city of Philadelphia, shall be forty cents for every one hundred bushels of grain, of whatever description, including flaxseed, beans and peas, which he or they shall measure, and keep an account of, agreeably to law, and the provisions of any act so far as they are altered or supplied by this act are hereby repealed.

Fees to be re-
ceived by the
measurer of
grain

SECTION 20. That no law respecting the sale of land for taxes, shall be so construed by any court as to prevent a recovery of the value of the improvements made, in all cases whatsoever where a recovery is effected against a purchaser at a sale for taxes, or other person claiming under him; but the acts of assembly shall be so construed that a recovery for improvements as aforesaid, shall be an incident in all cases whatsoever, where there is a recovery against the tax title, without regard to the nature of the defects of said title, and wherever any person claiming under such tax title may be out of possession, and on account of defects in said title fail to recover the land, the jury under the direction of the court trying the cause, shall assess the value of the improvements made by such person, or those under whom he claims, and shall fix the time within which said assessment shall be paid by the defendant or defendants; and if the sum so assessed be not paid within the time specified by the said jury, the title of the plaintiff shall thenceforth be confirmed and rendered good and

Value of im-
provements
on sale of un-
seated lands
to be assessed

valid to the land in dispute, as against the defendant, and all claiming under him; and after a failure to pay such assessment, a writ of *haberi facias possessionem* may issue forthwith from said court, without any other proceeding, and in all cases where a recovery is had against the defendant or defendants, claiming under a tax title as aforesaid, the jury assessing the value of the improvements, shall under the direction of the court also find the time within which the same shall be paid by the plaintiff, and on failure to pay such assessment within the time so fixed by the said jury, the title of the said defendant or defendants shall thenceforth be confirmed and rendered good and valid as against plaintiff and all claiming title under him: *Provided*, That no improvements made within two years after the sale of said land for taxes, shall be paid for by the party recovering or purchasing the same: *Provided also*, That if the defects in the tax title shall be known to the purchaser at the time of the sale, or if a tender of the redemption money be made within two years of sale, he shall not be allowed for his improvement: *And provided further*, That nothing herein contained shall affect the interests of minors who shall claim the lands inherited by them within two years after they shall arrive at age.

Assessments
by the super-
visor regular

SECTION 21. Whenever an assessment of road tax by the supervisors may be made upon land as unseated, which the assessors for the same year by error or mistake returned assessed as seated, while the same ought or might legally have been assessed as unseated, the said assessment by the supervisors shall be deemed valid and regular for all intents and purposes, notwithstanding it differs from the copy of the duplicate furnished the supervisor by the assessor, and all records of the county commissioners charging lands as unseated with arrears of taxes shall be evidence of an assessment, and no clearing over by mistake shall ever be deemed sufficient to render land seated.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

JOHN STROHM,
Speaker of the Senate.

APPROVED—The twelfth day of April, one thousand eight hundred and forty-two.

DAVID R. PORTER.