

to erect new ones, a majority being able to decide; and if new ones are agreed upon by a majority of said board, then said board shall proceed to make their plans, specifications and estimates, of the cost of erecting Estimates. and completing said buildings, or of the cost of repairing the present buildings, if a majority of said board should decide to repair the same: *Provided*, That the said township commissioners shall receive one dol- Pay. lar per day for every day they may be engaged in performing the duties required of them by this act.

SECTION 3. That the county commissioners are hereby authorized to County commis- borrow a sum or sums of money at an interest not exceeding six per sioners to borrow cent. per annum, for repairing the present buildings, or for erecting new money. buildings, as the case may be: *Provided, however*, Said sum or sums of money shall in no case exceed ten thousand dollars.

SECTION 4. That such sum or sums of money so borrowed, shall be Money, how dis- paid into the county treasury, and paid out by said treasurer, on orders posed of. signed by at least two of said county commissioners, for the purposes specified in this act, under the direction of the judges of the court of common pleas of said county.

SECTION 5. That the sixth section of an act passed the thirteenth day Repeal of former of April, one thousand eight hundred and forty-three, to authorize the law. governor to incorporate a company for making an artificial road, from Browningtown to the city of Allegheny, and for other purposes, is hereby repealed.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 301.

AN ACT

To change the venue in a certain action now pending in the court of common pleas of Lehigh county, to Berks 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 an action now pending in the court of common pleas of Lehigh county, wherein Daniel Kleckner, of Northampton county, is plaintiff, and the D. Kleckner, vs. commissioners of Lehigh county, are defendants, be and the same is commissioners of hereby removed and transferred to the court of common pleas of Berks Lehigh county. county, and shall be thereupon proceeded in as if it had been originally instituted in said court, and the final judgment of the said court of common pleas of Berks county, in said suit, shall be certified and filed in

Proviso.

the office of the prothonotary of the court of common pleas of Lehigh county, and shall there be proceeded on and considered to all intents, as if it were a judgment of said court: *Provided*, That the expense of said transfer shall be borne and paid by the said plaintiff, and all the expenses of the daily pay of jurors, who may be empaneled to try the said case, shall be refundable to Berks county, by the commissioners of Lehigh county: *And provided, also*, That the said final judgment shall be subject to a writ of error to the supreme court as in other cases; and in case the same should be reversed, and a *venire facias de novo* awarded, the same shall be again transferred and re-tried in Berks county, in the same manner as is hereinbefore provided.

JAMES ROSS SNOWDEN,

Speaker of the House of Representatives.

WILLIAM BIGLER,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 302.

A N A C T

To authorize the burgesses and assistant burgesses of the borough of West Chester, to levy and collect a protection tax, and for other purposes.

Preamble.

WHEREAS, The burgesses and inhabitants of the borough of West Chester, have, at large expense, introduced by means of iron pipes laid under ground along the principal streets of the town, a supply of wholesome water for the use of the citizens, and for the protection of their property from destruction by fire:

And whereas, Many of the citizens whose property is by this means protected, do not contribute their just proportion to the yearly expense of supporting the water works, and bringing in such supply:

Tax.

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 burgesses and assistant burgesses of said borough, in council assembled, shall be and are hereby authorized to lay and assess yearly, and every year, a tax to be called "a protection tax," upon the owners or occupiers of all houses, barns, stables, sheds, out-houses and other buildings within the said borough: *Provided*, That no tax shall be laid or assessed for any building situate more than six hundred feet from the nearest fire plug: *And provided also*, That each protection tax shall not exceed one-third of the county rates and levies for the time being.

Proviso.

Discrimination.

SECTION 2. The said burgesses and assistant burgesses are hereby authorized to discriminate and distinguish, in the laying and assessing