

to act, removal from the borough, of any of the members thereof, the council, at the next stated or any subsequent stated meeting thereafter, may fill such vacancy or vacancies, by the election of any qualified citizen or citizens, who shall remain in office until the next annual election for borough officers, when the qualified voters of the said borough shall elect a sufficient number of qualified citizens for the unexpired terms of such members whose places were thus supplied by an election of the council.

FINDLEY PATTERSON,  
*Speaker of the House of Representatives.*

WILLIAM P. WILCOX,  
*Speaker of the Senate.*

APPROVED—The nineteenth day of February, one thousand eight hundred and forty-five.

FRS. R. SHUNK.

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No. 39.

A N A C T

To change the names of Jonathan, Benjamin Franklin, Mary Ann, Elizabeth Hannah, and Emma Nichols, to Jonathan, Benjamin Franklin, Mary Ann, Elizabeth, Hannah, and Emma Jackson, and to confer upon them respectively all the rights and privileges of children born in lawful wedlock; and to legitimize the natural children of Sarah Williamson, (now Sarah Russel,) of the county of Greene.

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 names of Jonathan, Benjamin Franklin, Mary Ann, Elizabeth Hannah, and Emma Nichols, children of Jonathan Jackson and Ann Nichols, of the county of Chester, be and the same are hereby changed to that of Jonathan Jackson, Benjamin Franklin Jackson, Mary Ann Jackson, Elizabeth Hannah Jackson, and Emma Jackson. Names changed from Nichols to Jackson.

SECTION 2. That the said Jonathan Jackson, Benjamin Franklin Jackson, Mary Ann Jackson, Elizabeth Hannah Jackson, and Emma Jackson, shall have and enjoy all the rights, benefits and advantages of children born in lawful wedlock; and shall be able and capable in law to inherit and transmit all the estate, real, personal and mixed, of their said father, the said Jonathan Jackson, or their said mother, the said Ann Nichols, as fully and completely, to all intents and purposes, as if they had been born in lawful wedlock.

SECTION 3. That Mary, Ann, David, and Elizabeth, illegitimate children of Sarah Russel, (late Williamson,) of Greene county, are hereby declared legitimate, by the names of Mary Rape, Ann Jones, Children of Sarah Russel, legitimated.

David Jones, and Elizabeth Faulkner ; and capable in law and equity to inherit and transmit any estate, real, personal and mixed, as fully and effectually as if born in lawful wedlock.

FINDLEY PATTERSON,  
*Speaker of the House of Representatives.*

WILLIAM P. WILCOX,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of February, Anno Domini one thousand eight hundred and forty-five.

FRS. R. SHUNK.

## No. 40.

### A N A C T

Relative to public roads in certain counties therein named.

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 hereafter the number of road and bridge viewers appointed by the courts of quarter sessions of the counties of Butler, Allegheny, Luzerne, Lycoming, and Clinton, shall be three, one of whom shall be a surveyor, if deemed necessary; and every view and review shall be made by the whole number of persons so appointed, a majority of whom shall concur in their report, in order to its confirmation by the court.

SECTION 2. That in all cases of the appointment of viewers in said counties, to view and locate a public or private road, or to review a public road, the said viewers or any one of them shall, before proceeding to make their view or review, give public notice by at least three advertisements, put up in the vicinity of the contemplated route of such road, of the time and place where the said viewers will meet for the purpose of making such view or review, at least five days before such meeting.

SECTION 3. That if the viewers shall decide in favor of locating a public road, or to make any change in the location of the public road which they were appointed to review, it shall be the duty of the viewers to endeavor to procure, from the persons through whose lands such location may be made, releases for all claims of damages that might arise from opening the same; and in every case where said viewers shall fail to procure such releases, and it shall appear to them that any damages will be sustained, it shall be their duty to assess the damages and make report thereof, signed by a majority of their number, and return the same, together with all releases obtained, to the proper court of quarter sessions.

SECTION 4. That it shall be the duty of said court to examine carefully the amount of damages assessed as aforesaid; and if said court shall be satisfied that the amount of damages assessed in any case is such that the public interest will be subserved by its payment, and the

Road and bridge  
viewers in Butler,  
Allegheny, Lu-  
zerne, Lycoming  
and Clinton  
counties.

Notice.

Releases of dam-  
ages, &c.

Duty of courts.