

No. 134.

AN ACT

To annul the marriage contract between Jacob Hoffman, and Mary Hoffman, his wife.

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 marriage contract entered into between Jacob Hoffman, and Mary, his wife, late Mary Fulmer, both of Berks county, be and the same is hereby declared null and void, and the parties discharged from all the obligations and liabilities growing out of the same, as fully and absolutely as if they had never been joined in marriage.*

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

APPROVED—The twentieth day of March, one thousand eight hundred and forty-six.

FRS. R. SHUNK.

No. 135.

A SUPPLEMENT

To an act, entitled "An Act relative to the organization of courts of justice, passed the fourteenth day of April, one thousand eight hundred and thirty-four.

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* Jurors for Philadelphia county. grand jurors, and jurors for the trial of all issues of fact, in any of the courts holden in the county of Philadelphia, shall be selected in the manner following, and not otherwise.

SECTION 2. The commissioners of the said county, or a majority of Commissioners them, and the sheriff of the said county, shall meet together, on or before the first day of July, in each year, at the office of the said commissioners, and they shall then and there ascertain the whole number of names of jurors selected and deposited by them, in the year one thousand eight hundred and forty-five, in the respective wheels, containing the names of jurors for said county for the respective courts; and from the returns made into said commissioners' office, by the assessors for the respective wards and townships within the city and county of Philadelphia, to be selected.

They shall determine the number of jurors for each ward and township.

Proportion.

Assessors to make return of names, &c.

Commissioners and sheriff to deposit names in wheels.

Assessors shall file a list of jurors returned.

Duty of prothonotary.

Of courts.

Offenders, how punished.

Repeal.

Time of holding courts in Venango county changed.

delphia, they shall ascertain the whole number of taxable inhabitants returned; and thereupon the said sheriff and the said commissioners shall determine the number of names of jurors that each of said wards and townships shall furnish, in order to make up, in each year, at least twice the number so selected for the said year one thousand eight hundred and forty-five, and deposited in the said wheels for the said county respectively; the number of names to be furnished from the said wards and townships, shall be in the proportion that the taxable inhabitants of the said wards and townships respectively bear to the whole number of taxable inhabitants in the city and county of Philadelphia.

SECTION 3. When the number of names of jurors for the said courts respectively, from each ward and township shall have been ascertained, the commissioners of said county shall, upon issuing their precepts to the assessors for the said city and county, require them, in addition to the duties now enjoined by law, to return, with their assessments and as part thereof, the names and surnames of as many sober, judicious and intelligent citizens of their wards and townships, for jurors for said courts, as shall be equal to the number fixed by such commissioners for each court, and from the respective wards or townships, together with their occupations and places of residence, and the courts for which they have been so selected.

SECTION 4. When the assessors shall have made the returns to the said commissioners, the said commissioners shall notify the sheriff of said county to meet at their office, on a day to be fixed, not more than one month thereafter; and when so met together, they shall clear the wheels of all names remaining therein, and shall deposit the names so returned by the said assessors in the respective wheels for said county, in the manner described in the eighty-eighth section of the act to which this is a supplement; and thereafter the said wheels shall be supplied only by the said assessors returns, made under like requisitions from the county commissioners in every year.

SECTION 5. The assessors shall file, upon their respective oaths or affirmations, in the offices of the said court respectively, immediately after their returns as aforesaid, a list of the jurors so returned from the respective wards and townships as jurors for said courts; and the respective prothonotaries of the said courts shall compare the names of jurors drawn from the wheels, with the list so furnished, whenever a venire of jurors shall be returned; and should any name be drawn or returned as a juror which is not on the assessors list so filed, the said prothonotary shall immediately communicate the fact to the court for which the juror had been drawn; the name of such juror shall be stricken from the said list of jurors; and it shall be the duty of the said court forthwith to report and certify the facts of the case to the attorney general.

SECTION 6. Any person offending against the provisions of this act, shall be deemed guilty of a misdemeanor in office, and upon conviction thereof, shall forfeit and pay a fine of not less than one hundred nor more than one thousand dollars, and be imprisoned in the county jail for a term not exceeding one year.

SECTION 7. So much of any previous act or acts of assembly as are inconsistent herewith, shall be and the same are hereby repealed.

SECTION 8. That the April term of the several courts of Venango county, is hereby so changed, as that the same shall hereafter be held on the fourth Monday of May in each year; and all recognizances, venires, process, writs, orders and decrees, and other proceedings in said court, re-

turnable to the third Monday of April next, be and the same are hereby extended and made returnable to the said fourth Monday of May next; and so much of any law as is hereby altered, be and the same is hereby repealed.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 136.

AN ACT

Concerning certain real estate.

WHEREAS, Henry Hermans, of Luzerne county, died, leaving a will and testament which provides, among other things, for the appointment of three judicious men to value and appraise his real estate, and to make partition of the same into as many shares as it conveniently can be divided into, and that such of his devisees as are entitled to take, shall take the same at the appraisement, securing the amount over their respective shares by bond and mortgage, to be paid in five equal annual payments : Preamble.

And whereas, In pursuance of said will, partition has been made, and the respective devisees have made choice of the different portions, but as some of the devisees are minors, the intentions of said will in executing releases, and securing the overplus by bond and mortgage, cannot be carried out; therefore,

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 it shall be lawful for the guardian of each of the minor children of Henry Hermans, deceased, under the provisions of the said will, to execute and deliver a release or releases to the other heirs for the portions not taken by such ward, which said release or releases shall be as binding in law, as if such ward or wards had been of full age, and had executed the same according to existing laws. Guardians to execute releases.

SECTION 2. That it shall also be lawful for the said guardians to execute and deliver, under the provisions of the said will, a bond and mortgage for each or any of his said wards, securing the payment of any overplus above the amount of the respective share of such ward, and such bond and mortgage shall operate as a lien upon the portions taken by such ward, and shall be as binding in every respect, as if the same had been executed by a devisee of lawful age: *Provided,* That the said guardian shall not be made personally liable to pay such bond and Guardians to execute bond and mortgage. Proviso.