

Proviso.

mortgage, but the same to be enforced only against the portions and property of such ward: *And provided further*, That all releases, and bonds and mortgages thus executed by such guardian, shall, be submitted to the orphans' court of Luzerne county, and the proceeding be approved of by said court.

Trustees of St. John's church in York county, authorized to sell real estate.

SECTION 3. That the trustees of Saint John's church, in Franklin township, York county, or their successors in office, be and they are hereby authorized and empowered to sell at public or private sale, so much of the real estate belonging to said church, and upon such terms as they may deem expedient, and to convey the same in fee simple to the purchasers, applying the proceeds thereof to the proper use of said congregation.

Dixon Fleming, father of Hugh Wasson Fleming, authorized to sell and convey certain real estate.

SECTION 4. That Dixon Fleming, of Centre township, Butler county, father of Hugh Wasson Fleming, a minor, is hereby authorized to make sale of one hundred acres of land, more or less, situate in the county of Armstrong, on the waters of Crooked creek, being the same devised with certain conditions to said minor, by Hugh Wasson, deceased; and the deed to be made to the purchaser shall be deemed good and valid to transfer all the interest of said decedent in said land at the time of his decease: *Provided*, That before the execution of a deed, the propriety of making a sale, and the terms of the sale, shall be carefully inquired into, and approved by the orphans' court of Butler county; and further, that said Dixon Fleming shall give bond to the commonwealth, in such sum and with at least two such sufficient sureties, as shall be approved by said court, conditioned that he will faithfully invest and apply the proceeds of sale as may be directed by said court, in giving a reasonable and equitable construction to the will of said decedent.

Proviso.

Security.

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. 137.

## AN ACT

Relating to bridges in Luzerne and Wayne counties.

Commissioners not compelled to keep bridges in repair.

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 from and after the passage of this act, the commissioners of the counties of Luzerne and Wayne shall not be compelled to keep in repair any of the county bridges in said counties, except as hereinafter directed, and any law to the contrary heretofore existing is hereby repealed.

SECTION 2. That hereafter all county bridges in said counties shall be repaired and kept in repair by the respective townships and boroughs in which the same are located; and in case any such bridge shall lie partly in two townships or boroughs, the same shall be repaired and kept in repair jointly by the townships or boroughs in which such bridge may thus lie.

SECTION 3. That the courts of quarter sessions of said counties respectively, may, at any time, on reasonable cause being shown by petition, appoint three reputable citizens, not residents of the township or borough where the bridge is located, to view any county bridge which may be represented as being too much decayed and dilapidated to be repaired, and too burthensome and expensive to be rebuilt by the township or townships, borough or boroughs in which the same may lie; and if said viewers shall, after careful examination and consideration, report, under oath or affirmation, to said court, that the facts contained in said petition are true, the said court shall lay the same before the grand jury of said county; and if the same shall be approved by said grand jury, and by said court, then the said county commissioners shall proceed, with as little delay as possible, and in all respects proceed in relation to the same, as is directed by law as to building county bridges; and the said viewers shall be paid by the petitioners making application for the view of any such bridge.

Report of viewers  
When commissioners shall make the repairs.

Viewers pay.

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

DANIEL L. SHERWOOD,  
*Speaker of the Senate.*

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

FRS. R. SHUNK.

No. 138.

## AN ACT

Relating to sheriffs and coroners.

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 sheriff or coroner of any of the counties of this commonwealth, shall notoriously abscond from the county, or the city and county, for which he was elected sheriff or coroner, and thereby fail to perform the duties enjoined upon him by law, the office of such sheriff or coroner so notoriously absconding, shall be deemed and held vacant to all intents and purposes.

When sheriff or coroner absconds, office declared vacant.

SECTION 2. That the official acts of Silas Barnes, who was appointed sheriff of Greene county, to supply a vacancy in said office, are made valid.

Official acts of Silas Barnes of Greene county, made valid.