

No. 200.

AN ACT

To annul the marriage contract between Edward M'Cutchin, and Elizabeth, 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 Edward M'Cutchin, late of the county of Chester, and Elizabeth, his wife, 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. 201.

AN ACT

To incorporate the borough of Girard, in the county of Erie.

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 territory lying in the township of Girard, in the county of Erie, Boundaries. included within the following boundaries: beginning at the centre of the Ridge road, in the township of Girard, in the county of Erie, at the place where the east line of Miron Hutchinson's land intersects said Ridge road; thence north twenty-six degrees west along said line one hundred perches; thence south fifty-two degrees west two hundred and fifty perches; thence south twenty-six degrees east one hundred and eighty perches; thence north fifty-two degrees east two hundred and fifty perches to the said east line of Miron Hutchinson's land; thence along said line north twenty-six degrees west eighty perches to the Girard erected in-place of beginning, is hereby erected into a borough, to be called the to a borough. borough of Girard.

SECTION 2. The inhabitants of said borough, qualified to vote for members of the general assembly, shall on the third Friday of March

- Annual election.** next, and on the third Friday of March, in every year thereafter, meet at the school house in said borough, and then and there, between the hours of one o'clock and seven o'clock in the afternoon, elect by ballot
- Borough officers.** one citizen, who shall be styled the burgess of said borough, and four other citizens to be members of the town council; and at the first election three school directors—one to serve one year, one for two years, and one for three years, and thereafter one school director annually; and one person to be constable of said borough, whose name shall be returned to the next court of quarter sessions, for the like purposes as in elections of township constables. The said inhabitants shall also, at the same time and place, elect two justices of the peace, one judge, and two inspectors of elections and assessors, agreeable to the laws of this commonwealth; the said elections shall be conducted in the same manner as is provided for the election of township officers of this commonwealth, except that the certificates of the election of burgess, town council, and school directors, shall be filed among the records of the corporation: *Provided*, That the first election to be held under this act, shall be held
- Justices of the peace and election officers.** by a judge and inspectors, to be chosen by the inhabitants present, at the opening of the election by the constable of the township of Girard, who is hereby required to attend at the said school house, on the third Friday of March next, at the usual time and place of holding their spring elections.
- Proviso.**
- First election.**
- Incorporate.** **SECTION 3.** That from and after the said third Friday of March next, the burgess and town council, duly elected, and their successors, shall be one body politic and corporate, by the name, style and title of the burgess and town council of the borough of Girard, and shall have, possess, and enjoy, all the rights, liberties, franchises, and privileges of a borough, incorporated in pursuance of the act passed first of April, Anno Domini, eighteen hundred and thirty-four, entitled "An Act to provide for the incorporation of boroughs;" and the several provisions of said act, so far as the same are not inconsistent with this act, shall extend to and be in force within said borough, as fully as if the said borough had been incorporated agreeably to the provisions thereof.
- Name.**
- Powers.**
- Commissions of justices.** **SECTION 4.** The justices of the peace, residing in said borough, shall continue to hold their commissions as if this act had not been passed; and the first election of justices, under this act, shall be held on the third Friday of March next.
- Duty of constable.** **SECTION 5.** The constable of said borough shall perform the duties of high constable therein until otherwise provided; but the burgess and town council may authorize the election or appointment of a high constable if they deem it expedient.
- School directors.** **SECTION 6.** The school directors, elected under this act, shall perform the same duties, and possess the like powers, in all respects, as school directors elected agreeably to the general laws of this commonwealth.
- Separate election district.** **SECTION 7.** The said borough shall be a separate election district, and the electors thereof shall hold their borough and general elections at the school house in said borough.
- Tax on dogs in the borough of Pottstown.** **SECTION 8.** That from and after the passage of this act, the town council of the borough of Pottstown, in the county of Montgomery, be and is hereby authorized to assess and collect on each and every dog or bitch, owned or harbored by any citizen or inhabitant of said borough, a tax to any amount not exceeding one dollar for the first, two dollars for the second, three for the third, and so on in proportion to the number owned or harbored by any citizen or inhabitant of said borough, as

the said council may deem expedient and proper for the use of the borough of Pottstown aforesaid.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

APPROVED—The third day of April, one thousand eight hundred and forty-six.

FRS. R. SHUNK.

No. 202.

AN ACT

To lay out a state road from Shickshenny, in Luzerne county, to John Headleson's, in Lycoming county, and for other purposes.

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* Commissioners. James Tubbs of Luzerne county, John Aughenbaugh of Columbia county, and William Smith, esquire, of Davidson township, Lycoming county, be and they are hereby appointed commissioners to view and lay out a state road, beginning at the Nanticoke and Hughesville turnpike, at the Shickshenny iron works, in the county of Luzerne; thence by way of Location. William Koon's flouring mill, in Luzerne; and thence by Ezekiel Cole's mills, in Columbia county; and thence to intersect a main road at or near the house of John Headleson, in the county of Lycoming.

SECTION 2. It shall be the duty of the said commissioners, or a Duty. majority of them, appointed to view as aforesaid, after having been sworn or affirmed before some justice of the peace, who shall file and preserve the affidavits in his office, to perform the duties enjoined on them by this act, with fidelity and impartiality, carefully to view the ground over which the said road laid out by them may pass, and lay out the same as near to a straight line, touching the intermediate points specified between the aforesaid points, as the nature of the ground and circumstances will permit, and so that the vertical departure from a horizontal line shall in no points exceed seven degrees, except at the crossing of ravines and streams, where by moderate filling and bridging, the declination of the road may be preserved within that limit; and further, it shall be the duty of the commissioners to have due regard to the crossing of water, the nature of the ground and damage to private property, and all other circumstances that may affect the route, so that by a judicious combination of them, the route adopted may best promote the public good; and that they shall clearly and distinctly mark Mark route. upon the ground the route agreed upon, in such a manner as to enable