

tion of the act, passed twenty-ninth March, one thousand eight hundred and twenty-seven, shall, in anywise affect the lien of said judgments, if otherwise good on the appearance dockets, and the same have been revived on *scire facias* issued thereon, within five years : *Provided*, That nothing contained in this act, shall be construed to release the prothonotaries of said county from keeping a judgment docket, according to the provisions of existing laws : *And provided further*, That *bona fide* purchasers without notice, and lien creditors, shall not be affected by the provisions of this act.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 350.

AN ACT

Regulating election districts.

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 all that part of Blair township, in the county of Blair, which lies eastward of a line, commencing on the Blair's Gap run branch, of the Frankstown branch of the Juniata river, where the line of Allegheny and Blair township crosses the same ; thence down said branch to the south-western corner or portion of the borough of Hollidaysburg ; and thence a southerly course to the summit of the hill, lying back of the late residence of Joseph M'Cune, esquire, where the eastern reservoir of the Pennsylvania canal is now being made, so as to include the dwelling house, barn and other buildings, at the said late residence of Joseph M'Cune, esquire, shall hereafter be attached to, and form part of the general election district, composed of the borough of Hollidaysburg, in said county. Blair county.

SECTION 2. That the borough of Troy, in the county of Bradford, shall hereafter be a separate election district, and the elections in said district shall be held at the school house, in said borough. Bradford.

SECTION 3. That the qualified electors of the township of Troy, in the county of Bradford, shall hereafter hold their general and township elections at the house of William A. Gustin, near the residence of Peter Gavabrant, in said township. Bradford.

SECTION 4. That the qualified electors of Armstrong township, in the county of Lycoming, shall hereafter hold their general elections at the house of William Morris, in said township. Lycoming.

- Lycoming.** SECTION 5. That the qualified electors of Penn township, in the county of Lycoming, shall hereafter hold their general elections at the house of John Frantz, in said township.
- Beaver.** SECTION 6. That the qualified electors of Raccoon township, in the county of Beaver, shall hereafter hold their general elections at the house of Thomas Parkinson, in said township.
- Washington.** SECTION 7. That the township of Union, in the county of Washington, shall hereafter be a separate election district; and the qualified electors shall hold their general elections at the house of John Huston, junior, in said township.
- M'Kean.** SECTION 8. That the qualified electors of the township of Coryden, in the county of M'Kean, shall hereafter hold their general and township elections at the house of Peter B. Templeton, in said township.
- Northumberland.** SECTION 9. That the qualified electors of Chillisquaque township, in Northumberland county, shall hereafter hold their general and township elections at the house of Benjamin Fordsman, in said township.
- Huntingdon.** SECTION 10. That the qualified electors of Morris township, in Huntingdon county, shall hereafter hold their general and township elections at the public house now occupied by Alexander Lowry, junior, in the village of Water Street.
- Bradford.** SECTION 11. That the qualified electors of Wyalusing township, in the county of Bradford, shall hereafter hold their general and township elections at the school house, on the post road, at or near John Biles', in said township; that from and after the passage of this act, the judges, inspectors, and clerks of general and township elections, in the county of Bradford, shall receive seventy-five cents for each day's service, and that expenses of township elections for township officers, shall be paid out of the respective township treasuries.
- Blair.** SECTION 12. That the qualified electors of North Woodbury township, in the county of Blair, late Bedford, shall hereafter hold their general and township elections at the warehouse of Theophilus Snyder, in the borough of Martinsburg, in said township.
- Potter.** SECTION 13. That the qualified electors of Stewardson township, in the county of Potter, shall hereafter hold their general and township elections at the house of William Herrod, in said township.
- Franklin.** SECTION 14. That the qualified electors of Southampton township, in the county of Franklin, shall hereafter hold their general and township elections at Mount Rock school house, in said township.
- Indiana.** SECTION 15. That all that part of a certain tract of land, belonging to Alexander Boggs, being the same tract or parcel of land, on which the said Alexander Boggs now resides, lying in the township of Rayne, in the county of Indiana, be and the same is hereby annexed to the township of White, in said county; and the said Alexander Boggs shall hereafter enjoy all the privileges, and be subject to all the regulations, in common with other citizens of the above named township of White: *Provided however,* That nothing herein contained shall be so construed as to interfere with the payment of any tax, which may have been levied or assessed on the property of Alexander Boggs, in the township of Rayne, prior to the passage of this act
- Proviso.**
- Mercer.** SECTION 16. That the qualified electors, citizens of their several sub-school districts, in the county of Mercer, shall meet at their respective school houses, on the first Friday in April, in each and every year hereafter, at twelve o'clock, and after choosing one person for judge, and two persons clerks, shall then proceed to elect three persons as a sub-
- Annually elect sub-committee and path-master.**

committee for said district, for the term of one year, and also one person for path master; and it shall be the duty of the said judge and clerks, to certify to the town clerk the name of the person chosen as path-master; and also to certify to the president of the board of school directors, in their respective townships, the names of the persons elected as sub-committees, for their respective districts.

SECTION 17. That hereafter all general and special elections, in the township of Moyamensing, in the county of Philadelphia, shall be held in the several wards, at the places where the constable elections are now held; and the judges, inspectors, and clerks of the several wards of all such elections, shall meet together at the commissioners' hall, in the said township, on the second day after any such election; and then and there add together the number of votes given for each person voted for, and make out the returns, and appoint one of their number a return judge, in the manner now prescribed by the laws of this commonwealth. Elections in Moyamensing, Philadelphia co.

SECTION 18. That the qualified citizens of Sandy Creek township, Mercer county, shall, on the second Tuesday in October next, decide by ballot, where their general and township elections shall be held, in said township. Mercer.

SECTION 19. That the qualified electors of the borough of Alexandria, and township of Porter, in the county of Huntingdon, shall hereafter hold their borough, township and general elections, at the public school house, opposite the German Reformed church, in the borough of Alexandria. Huntingdon.

SECTION 20. That the qualified voters of Ross township, in the county of Monroe, shall decide, by ballot, at the next ensuing March election, for the place of holding their general election hereafter. Monroe.

SECTION 21. That from and after the passage of this act, the qualified electors of the township of Mifflin, in the county of Lycoming, shall elect two supervisors at their township election; and so much of any law that is inconsistent with this act, be and the same is hereby repealed. Lycoming.

SECTION 22. That the qualified electors of the Youngstown district, in the county of Westmoreland, shall hereafter hold their general elections at the house now occupied by George Hull, in the borough of Youngstown. Westmoreland.

SECTION 23. That the qualified electors of the township of Neshanock, in the county of Mercer, shall hereafter hold their general and township elections at the house of John Falls, in said township, except the voters of the borough of New Castle, who shall hereafter vote at the usual place, in said borough. Mercer.

SECTION 24. That the qualified voters of Hopewell township, in Washington county, shall hereafter elect one additional supervisor for said township. Washington.

SECTION 25. That the qualified electors of the township of Washington, in the county of York, shall hereafter hold their general and township elections at the public house of John Hollinger, in said township. Washington.

SECTION 26. That the word person, in the eighth line of the third section, in the act passed the fifth day of March, A. D., one thousand eight hundred and twenty-eight, to incorporate the German Reformed congregation of Christ church, in Germany township, Adams county, be so amended as to read member, so far as relates to said church. Charter of German Reformed church, in Germany, Adams county, amended.

- Adams.** SECTION 27. That the township election, for the year eighteen hundred and forty-six, in the township of Reading, Adams county, shall be and is hereby declared valid, as though full notice had been given.
- Cumberland.** SECTION 28. That the qualified electors of Hampden township, in the county of Cumberland, shall hereafter hold their general and township elections at the house now occupied by Henry Bressler, in said township.
- Northampton.** SECTION 29. That the polls of the borough elections for the borough of Bethlehem, in the county of Northampton, shall hereafter be opened between the hours of eight and nine o'clock, in the forenoon, and shall be kept open until the hour of seven o'clock, in the afternoon.
- Franklin, Greene township, relative to, repealed.** SECTION 30. That the twenty-seventh section of the act, entitled "An Act regulating election districts," passed the sixteenth day of April, one thousand eight hundred and forty-five, be and the same is hereby repealed.
- Fayette.** SECTION 31. That the borough of Cookstown, in the county of Fayette, is hereby declared a separate election district; and the qualified voters thereof, shall hold their general election at the town hall school house, in said borough.
- Judges and inspectors appointed.** SECTION 32. And that William Krepps be and is hereby appointed judge, and Robert G. Mullen and Samuel D. Church, be and they are hereby appointed inspectors, to hold said elections until others shall be elected for that purpose, under the general law regulating elections; the said officers hereby appointed, to have all the power, and be subject to all the penalties imposed on such officers, by the laws of this commonwealth, in such cases made and provided: *Provided*, That the returns of elections from the said borough, and the township of Washington, in said county, shall be made by one of the return judges of said borough or township, as may be agreed upon between themselves: *And provided further*, That it shall be the duty of the constable of the said borough, to give the notice required by the fifty-second section of an act "relating to the elections of this commonwealth," approved second July, one thousand eight hundred and thirty-nine.
- Proviso.**
- Berks.** SECTION 33. That it shall be lawful for the qualified voters of the borough of Womelsdorf, in the county of Berks, to hold a special election on the second Saturday of May next, for one justice of the peace, to fill the vacancy occasioned by the death of John Vanderslice, late justice of the peace, in said borough; notice of the said election shall be given by the constable, in the usual manner; and the election shall be conducted, and the return made, according to the existing laws regulating the elections of justices of the peace.
- Womelsdorf borough to elect justice of the peace.**
- Northumberland. Elect supervisors.** SECTION 34. That the township of Jackson, in the county of Northumberland, shall hereafter elect three supervisors; and that the election of three supervisors, which took place on the twentieth of March, one thousand eight hundred and forty-six, shall be good and valid, to all intents and purposes, as if the same had been held and conducted in pursuance of law.
- Susquehanna.** SECTION 35. That the qualified voters of the township of Jessup, in the county of Susquehanna, are hereby authorized to hold an election, for the purpose of electing township officers for said township, at the house of Walter Olmstead, on Wednesday the third day of June next, to be held and conducted, in all respects, as township elections are required to be held and conducted by law; and that Jonathan C. Sherman shall act as judge, and Abel Chatfield and Walter Olmstead, as

inspectors ; and it is hereby made the duty of the said Walter Olmstead to give notice of said election.

SECTION 36. The qualified electors of that portion of Unity township, Westmoreland. in the county of Westmoreland, composing the Unity election district, who now, by law, hold their general elections at the court house, in the borough of Greensburg, shall hereafter hold their general and township elections, at the house of Joseph F. Kuhn, in said district ; and all elections in said district shall be held and conducted by the proper judge and inspectors of said district ; and the returns thereof shall be made in the same manner as in other cases of general and township elections.

SECTION 37. That it shall not be necessary for the constables of the Warren and several townships of the counties of Warren and M'Kean, to notify the M'Kean. road commissioners and path-masters of their election, in said counties.

SECTION 38. That as much of the first section of the act, entitled, "An Lancaster. Act regulating election districts, approved the seventh day of March, one thousand eight hundred and forty-three," as relates to Manor township, Lancaster county, be and the same is hereby repealed.

SECTION 39. That hereafter, the election for borough officers, in the Bucks. borough of New Hope, Bucks county, shall be held on the third Friday of March, in every year, instead of the time now appointed by law ; and the said election shall be opened at two o'clock, P. M., and be closed at seven o'clock, P. M.

SECTION 40. That the township of South Manheim, in the county Schuylkill. of Schuylkill, shall form a separate election district ; and the qualified voters thereof shall hereafter hold their general and township elections at the public house now occupied by George Reber.

SECTION 41. That the assessors elected on the third Friday of March Philadelphia last, for the fourth and fifth wards, of the township of Moyamensing, in county. the county of Philadelphia, be and they are hereby authorized and required to make any additional assessment for the said wards, which may be requisite, or necessary, under the laws of this commonwealth ; and shall respectively do and perform, within the said wards, all other acts incident to their offices, as assessors, as aforesaid, as fully and effectually as similar duties would be performed under the said laws in the other wards of the said township, by the assessors of such other wards, respectively.

SECTION 42. That nothing contained in any act heretofore passed, Robert E. John. shall be so construed as to require Robert E. Johnson, an alderman of son, alderman, the city of Philadelphia, to remove his office from its present location, Philadelphia city. until the expiration of his present term of office.

SECTION 43. That the qualified voters of the township of Augusta, Northumberland. in the county of Northumberland, shall hold their general elections at the court house, in the borough of Sunbury ; and the qualified voters of the township of Lower Augusta, in said county, shall hold their general and township elections at the public house of George Conrad, in said township ; and that Michael Evert and Elisha Klein shall be the judges, and Jacob Eckman, inspector, to hold the next general election, for said township of Augusta.

SECTION 44. That it shall be lawful for the qualified citizens of the Philadelphia, relative to voting for city and county of Philadelphia, to vote for canal commissioner on the canal commis- same ticket with other state officers. sioners.

SECTION 45. That the qualified voters of the borough of Petersburg, Perry. in the county of Perry, shall hereafter hold their annual borough elections on the third Friday of March ; and the officers now elected for said borough, shall hold their respective offices until others are chosen, at the next annual borough election ; and the constable elected, or who may

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hereafter be elected for said borough, shall have power to serve process, execute writs, and to perform all the various duties out of the said borough, which are now allowed by law to the constables of the several townships.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 351.

A N A C T

Relating to equitable actions of ejectment to enforce the payment of purchase money.

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 in all actions of ejectment, hereafter tried, to enforce the payment of purchase money, wherein time becomes of essence in the finding of the jury, or in a judgment, by confession, by fixing a time for such payment, one verdict and judgment thereon unreversed, or a judgment in such case, by confession, shall be conclusive between the parties; and a failure to pay the money within the time so fixed, shall be deemed a rescision of the contract between the parties, and shall render such judgment absolute; and in all such actions tried since the fifth day of May, one thousand eight hundred and forty-one, wherein by the finding of the jury, or by a confession of judgment by the defendant, time became of essence as aforesaid, it shall be lawful for any such defendant, within two years after the passage of this act, to commence an action and therein to enforce his contract in such case, on paying the amount of purchase money, interest and costs, due thereon, together with such sum as the jury, trying the cause, may deem reasonable, for any improvement made, and increase in the value of the property since the trial of such case, to be paid within such reasonable time as may be fixed by the jury, under the direction of the court; and if not paid within such time, such failure to pay shall operate as an absolute rescision of the contract between the parties, and as a judgment for costs against the party so failing to pay.*

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

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

FRS. R. SHUNK.