

shall be the duty of the auditor general to appoint a competent person as auditor, to discharge the duties provided for in said section; and so much of any law as authorized county auditors to audit and settle the accounts of prothonotaries and other county officers, be and the same is hereby repealed: *Provided*, That if the auditor general shall appoint an additional auditor for the county of Philadelphia, he shall be entitled to receive from the state treasury, as a full compensation for his services, two dollars for every day he shall be actually engaged in the discharge of his duties as auditor; and so much of said tenth section as authorized the appointment of an additional auditor for the county of Allegheny, be and the same is hereby repealed.

SECTION 2. That so much of the tenth section of the act of April sixteenth, eighteen hundred and forty-five, entitled "An Act to increase the revenues and diminish the legislative expenses of the commonwealth," as requires prothonotaries and other county officers to pay the tax received by them to the county treasurer, be and the same is hereby repealed; and all payments by said officers shall hereafter be made to the state treasury: *Provided*, That said officers shall be subject to all the penalties provided for in said act.

SECTION 3. That the provisions of the eleventh section of the act, entitled "An Act to increase the revenues and diminish the legislative expenses of the commonwealth," be and the same are hereby extended to the twenty-first day of April, one thousand eight hundred and forty-eight.

SECTION 4. That the eleventh section of an act, entitled "A supplement to an act relating to defaulting public officers," passed twenty first day of April, eighteen hundred and forty-six, be and the same is hereby extended for the term of one year from the first of May next.

JAMES COOPER,

Speaker of the House of Representatives.

WM. WILLIAMSON,

Speaker of the Senate.

APPROVED—The fifteenth day of March, one thousand eight hundred and forty-seven.

FRS. R. SHUNK.

No. 295.

AN ACT

For the improvement of the Delaware division of the Pennsylvania canal.

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 the duty of the canal commissioners, as soon as practicable, to cause an estimate to be made of the cost of increasing the length of all the locks on the Delaware division of the Pennsylvania canal, so as ages.

Canal commissioners to cause an estimate to be made of the cost of enlarging locks, and the amount of dam-

to pass boats of double the length of those now used on that division, and to furnish them with an additional pair of gates; also an estimate of the cost of increasing the depth of the water in the said division to six feet; and also an estimate of such damage as may be assessed, as herein directed.

Canal commissioners to advertise for proposals of loan. SECTION 2. That as soon as these estimates shall be prepared, the canal commissioners shall advertise that they will receive proposals for a loan to the commonwealth, to an amount not exceeding the estimates, on the following terms and conditions:—The loan to bear an interest of six per centum, payable semi annually, and to be reimbursable at any time, at the pleasure of the commonwealth; but the interest and principal of the loan to be payable only out of a fund, to be created by an addition of two and one-quarter cents per thousand pounds to the amount of the ordinary tolls, to be collected and specifically appropriated to that purpose, from all coal passing on the Delaware division of the Pennsylvania canal, and in that proportion for shorter distances; certificates will be issued by the state treasurer for the said loan, to be called "loan for the Delaware division," which shall be transferable under the same regulations, as the ordinary loans of the commonwealth: *Provided*, That no countervailing reduction shall be made in the ordinary tolls on the Delaware division, which shall have the effect of rendering the addition to the tolls hereby provided for, nugatory.

Conditions.

Tolls.

Certificates of loan to be issued.

When additional alterations shall be made. SECTION 3. That whenever a sufficient amount of loan shall be proposed for at or above par, agreeably to the said estimates to complete the enlargement of the locks, it shall be the duty of the canal commissioners to accept them, and forthwith to make the necessary arrangements for procuring materials for effecting the alterations in the locks on the whole line of said canal, and for collecting the additional toll on the coal to form a fund for the payment of the interest, and the repayment of the principal of the said loans; and so when a further sum shall be proposed for at or above par, sufficient, at the said estimates, to increase the depth of water in the said division to six feet, it shall be the duty of canal commissioners to accept it, and proceed with the work as soon as practicable.

Distinct account of tolls to be kept. SECTION 4. That the collectors of tolls on the Delaware division shall keep, and return a distinct account of the amount of tolls collected, under this act, to the state treasurer, who shall set apart the amount thereof, for the sole purpose of paying the interest and principal of the loans hereby authorized, as rapidly as the fund thus created will warrant.

When they shall cease to be collected. SECTION 5. That whenever the additional tolls herein provided for, shall amount to the principal and interest of the loans hereby authorized, they shall cease to be collected on the coal passing on the Delaware division.

Basins. SECTION 6. That the canal commissioners are hereby authorized to permit basins to be constructed, under their direction and supervision, along the shore of the Delaware river, within five miles of Bristol, to be connected with the Delaware division by lateral branches.

Damages to be assessed and paid. SECTION 7. That all damages to private property sustained, or likely to be sustained by reason of the alterations and improvements, as contemplated by this act, shall be assessed, as soon as practicable, by said canal commissioners, and be forthwith paid on their warrant, out of the money borrowed by virtue of this act; and said commissioners shall cause to be retained, out of said money borrowed, so much thereof as they shall reasonably estimate will cover and pay all such damages.

The state not bound for the payment of loan, &c. SECTION 8. That the state shall not be considered in any way bound, or her faith pledged at any time hereafter, for the payment of the prin-

cipal or interest of any loan contracted under the authority of this act, or for the payment of any money due contractors, in the construction of the improvements hereby authorized, further than the faithful application of the fund authorized to be applied for that purpose, arising out of the extra tolls authorized to be charged by this act.

JAMES COOPER,
Speaker of the House of Representatives.

WM. WILLIAMSON,
Speaker of the Senate.

APPROVED—The fifteenth day of March, one thousand eight hundred and forty-seven.

FRS. R. SHUNK.

No. 296.

AN ACT

To annul the marriage contract of James G. Wilson and Sarah Catharine Wilson.

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 James G. Wilson and Sarah Catharine Wilson, his wife, be and the same is hereby annulled and made void, and the parties released and discharged from the said contract, and from all legal duties and obligations arising therefrom, as fully and effectually as if they had never been joined in marriage.

JAMES COOPER,
Speaker of the House of Representatives.

CH. GIBBONS,
Speaker of the Senate.

I do certify that the bill, entitled "An Act to annul the marriage contract of James G. Wilson and Sarah Catharine Wilson," passed on the ten'h day of March, Anno Domini one thousand eight hundred and forty-seven, which has been disapproved by the governor, and returned with his objections, to the House of Representatives, in which it originated, was agreed to by two-thirds of the House of Representatives, on the thirteenth day of March, one thousand eight hundred and forty-seven, and that the foregoing is the act so agreed to by the said House.

JAMES COOPER,
Speaker of the House of Representatives.

ATTEST:—D. FLEMING,
Clerk of the House of Representatives.