

No. 373.

AN ACT

Declaring obstructions to private roads to be a public nuisance, 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* from and after the passage of this act, all obstructions to private roads shall be considered a nuisance, and shall be subject to the same fines, forfeitures and penalties, and to be proceeded against in the same way as in cases of obstructions to public roads or highways.

SECTION 2. That the compensation of the five managers of the Hanover and Carlisle turnpike road company shall be one dollar per day, and shall not exceed twenty dollars per annum to each of the managers; and the compensation of the sequestrator of said road shall be one dollar per day, and shall not exceed one hundred dollars per annum, and no extra allowance shall be made either for traveling expenses or counsel fees; the whole annual expenditures for managers, sequestrator, gate keepers, and for repairs, shall not exceed three-fourths of the receipts of tolls for said year; and all tolls shall be collected without any deduction.

SECTION 3. That if any person hereafter shall sell, or expose or keep for sale, any lottery ticket, to be drawn in a lottery of any kind, either in this state or any of the United States, or elsewhere, or any device in the nature of a lottery ticket, or any lottery policy, or any paper with letters or figures that evidence the same, or in any way represents the drawing of any such lottery wherever established, or who shall assist in the sale thereof, or act as agent or broker in affecting the sale of the same, on conviction thereof, before any court of competent jurisdiction in this state, shall, for each offence, be sentenced to pay a fine not exceeding five thousand dollars, and to undergo an imprisonment in solitary confinement at labor, either in the state penitentiary or county jail and prison, for any period not exceeding three years, at the discretion of the court, and may, if deemed necessary, be required to give bail for his future good behavior against a repetition of the offence, in a reasonable sum, if the circumstances of the case require it; and the purchaser of any such lottery ticket or device, in the nature of a lottery ticket or lottery policy, or paper as above mentioned, shall not be held liable to punishment by this or any other law of the state, but shall be a competent witness in the cause; and any indictment shall be held good which charges this crime in the language of the law, without setting forth therein the number or date of the ticket, or the device, or any thing in the nature thereof, or policy, or that which represents the same, or the name of the lottery or where the same is located.

SECTION 4. That so much of an act, approved the thirtieth day of July, eighteen hundred and forty-two, entitled "An Act to provide for the education of the poor in the non accepting districts of this commonwealth, and for other purposes," as makes it the duty of the school directors, in non-accepting districts, to issue their warrants to the township supervisors, be and the same is hereby repealed, so far as relates to Upper Dublin township, Montgomery county; and that the school

Obstructions to private roads declared a nuisance.

Compensation of managers of Hanover and Carlisle turnpike road company.

Of sequestrator.

Penalty for selling or offering to sell lottery tickets.

Purchaser not punishable.

School tax in Upper Dublin township, Montgomery county, how to be collected.

directors of the said township may hereafter issue their warrants to the collectors of county rates or levies, or to any other collector they may think proper, whose duty it shall be to collect the same, in the same manner, and for the same per centage as taxes of a like character are collected.

SECTION 5. That the court of quarter sessions in Tioga county, in appointing viewers to assess damages occasioned by laying out streets in the borough of Wellsboro', Tioga county, shall select persons residing within said county, but out of said borough; and said viewers shall make report to said court, and if the same shall be approved by the court, the damages awarded shall be paid out of the treasury of said borough.

SECTION 6. That from and after the expiration of the term of the present commissioner, section four, of an act, entitled "An Act authorizing a review of part of Emlenton and Centreville state road, and for other purposes," approved the twenty-eighth of March, eighteen hundred and forty, be and the same is hereby repealed; and the governor of this commonwealth is authorized and required to appoint two commissioners, one of whom shall have charge of that part of the Cumberland road lying east of the Monongahela river, and the other shall have charge of that part lying west of the Monongahela river; that each of said commissioners shall receive a yearly salary of three hundred and fifty dollars for his services, and shall perform the duties, and be subject to all responsibilities enjoined by the several acts of assembly relative to commissioners of the Cumberland road. That so much of the several acts of assembly relating to the Cumberland road, as is hereby altered, be and the same is hereby repealed.

JAMES COOPER,
Speaker of the House of Representatives.

WM. WILLIAMSON,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 374.

AN ACT

To annul the marriage contract of Thomas Parker and Mary, 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 Thomas Parker and Mary, his wife, (the former residing in the city of Philadelphia and the latter in the city of New York) be and the same is hereby annulled and made*