

Real estate of
Elizabeth B. Ha-
zlehurst author-
ized to be di-
vided, &c.

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 said Samuel W. Thackara, Abraham R. Perkins, Matthew Brooke Buckley, Beaton Smith and Benjamin M. Hinchman, and in case of the refusal or inability from any cause of any of them to act in the premises, the person or persons that may be appointed by the judges of the supreme court of Pennsylvania, in the place of such of the said above-named five persons as may refuse, or be unable to act in the premises, be and they are hereby authorized and empowered to divide the real estate of the said Elizabeth B. Hazlehurst, situate in the state of Pennsylvania, and the personal estate disposed of by her said will as above recited, taking into account the advancements made to her children in the manner directed by the said will, without dividing or taking into the division her real estate, situate in the state of New Jersey; and such partial division so made by them, shall be as firm and valid to all intents and purposes, as if it was of the whole estate disposed of by the said will, wherever the same may be situated; and the said persons so appointed as aforesaid, are hereby further authorized and empowered to award owelty of partition, if and whenever it may be necessary in their judgment to equalize partition, in the same manner as owelty of partition is authorized under proceedings in partition in courts of law or equity, under any acts of assembly of this commonwealth; and such owelty of partition shall be as valid and effectual as though express power to award it were contained in the said will.

J. S. M'CALMONT,

Speaker of the House of Representatives.

V. BEST,

Speaker of the Senate.

APPROVED—The eleventh day of March, one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No. 153.

AN ACT

Laying a tax on dogs in certain townships in the county of Chester; relative to elections in West Philadelphia; and to assessors in Millerstown, Perry county.

Assessors of the
townships of
East Whiteland,
Tredyffrin and
Charlestown,
Chester county,
to take an accu-
rate account of
all dogs, &c.

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 assessors of the townships of East Whiteland, Tredyffrin and Charlestown, in the county of Chester, shall annually, when taking the names of the taxable inhabitants of their respective townships, take an accurate account of all dogs upwards of one month of age, distin-

guishing between the males and females of the species owned, possessed Tax. or kept by any person or persons within their respective townships, noting the number owned or possessed by each person, and kept about any one house, and furnished to the auditors of their respective townships with the said account; whereupon the auditors of the said townships shall levy and cause to be collected annually, by the collectors of the county and state tax, who are hereby invested with like authority and power to collect said tax on dogs, as are the collectors of township rates and levies, from every person owning, possessing or keeping one dog, the sum of one dollar, and from every person owning, possessing or keeping two or more dogs, the sum of one dollar on one dog, two dollars on the second dog, three dollars on the third dog, continuing to increase in like ratio; and from every person owning, possessing or keeping one bitch or more, double the amount, as in the case of a like number of dogs; which tax shall be paid to the town clerk of the proper township, who is hereby constituted treasurer of the sheep fund thereof; and when any inhabitant of either of the said townships shall sustain damage by having sheep injured or destroyed within the same, by a dog or dogs, he or she may apply to the auditors of the said township, who are hereby appointed appraisers of the damage done by dogs to sheep, and they or any two of them, are hereby authorized and required to ascertain the amount of damage sustained by the owner of such sheep injured or destroyed as aforesaid, and certify the same.

SECTION 2. The treasurer of the sheep fund in each of the townships mentioned in this act, shall, if sufficient funds remain in his pos- Treasurer of session for that purpose, pay all orders for damage done to sheep in sheep fund to said township drawn on him by the appraisers thereof, which orders pay orders, &c. shall take precedence according to their respective dates; his accounts shall be audited and adjusted as the accounts of township officers are directed by law to be; and if at the expiration of any fiscal year, there shall remain in the possession of any treasurer a greater sum than fifty dollars, after paying all orders then due, it shall be the duty of the said treasurer to pay the surplus to the treasurer of the school fund of the district in which said tax was collected, to be applied to common school purposes therein, under the direction of the proper school directors.

SECTION 3. The said appraisers shall severally receive the sum of Pay of apprai- 50 cents per day for their services rendered in appraising damage done ser. by dogs to sheep, to be paid by the person applying, which sum or sums shall be added to the amount of damages appraised; the collectors aforesaid shall be allowed five per cent. out of the money collected, and shall, if required by the auditors of their respective townships, give satisfactory security for the faithful performance of the duty assigned them by this act; and the treasurers aforesaid shall, if required by the auditors of their respective townships, give satisfactory security for the faithful performance of their trust; and in case of neglect or refusal so to do, the said auditors may in their respective townships, appoint a suitable person to fill said office until a successor shall be elected, and give the security required.

SECTION 4. Every dog kept or staying about any house, shall be Owners of dogs, deemed sufficient evidence of ownership to authorize the assessor to &c. return the person inhabiting said house, as the owner or possessor of such dog; and any person sending his or her dog from house to house, or from place to place, in order to evade the said tax, shall be liable to pay double tax therefor; and every dog not returned shall be deemed to have no owner, and may be lawfully killed when running at large by any person; and any person having made a false return of his or

her dog or dogs subject to taxation, shall be entitled to no compensation for damage done by a dog or dogs to his or her sheep.

Damages.

SECTION 5. All bills for damage done to sheep, in the townships aforesaid, now on file in the commissioners' office, shall be handed over to the treasurer of the sheep fund of the respective townships to which they belong, which bills shall first be paid by the said treasurer, said bills taking precedence according to the dates thereof; and all dog tax uncollected or in the hands of the collectors of said townships, shall be paid to the said township treasurers to be applied to the purposes specified in this act.

West Philadelphia, relative to an election in.

SECTION 6. That the election required by existing laws to be held in the borough of West Philadelphia, on the third Friday of March instant, for borough and township officers, be and the same is hereby postponed until the first Wednesday of May next; and the power and authority of the present officers of said borough are hereby extended and continued until superseded by the officers elected on the said first Wednesday of May next, and said officers shall hold their offices for the same period as if elected on the third Friday of March instant.

Millerstown borough, Perry county, relative to election of assessors, &c., in.

SECTION 7. That the qualified voters of the borough of Millerstown, in the county of Perry, shall be authorized to elect an assessor and two assistant assessors, in the same manner as the several townships in said county are now authorized to elect; and that the assessment made for the year one thousand eight hundred and fifty, is hereby declared legal.

J. S. M'CALMONT,

Speaker of the House of Representatives.

V. BEST,

Speaker of the Senate.

APPROVED—The eleventh day of March, one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No 154.

AN ACT

Relative to courts and lost deeds in Carbon county.

Preamble.

WHEREAS, The public buildings of the county of Carbon have been destroyed by fire, and some portions of the records of said county as well as some original sheriffs' and treasurers' deeds were destroyed, and it is right that some measures should be provided for supplying the loss of the same without unnecessary delay; therefore,

Sheriffs' and treasurers' deeds in Carbon county, relative to the destruction of.

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 on petition presented to the court of common pleas of Carbon county, verified by affidavit, setting forth the loss or destruction of any sheriffs'*