

When the books shall be closed.

Proviso.

to time until the said books so opened shall have three thousand shares therein subscribed, of which adjournments the commissioners aforesaid shall give public notice, as the occasion may require; and when the whole number of shares subscribed in all the said books, shall amount to three thousand, the same shall be closed: *provided always*, that every person offering to subscribe in the said books, in his own name, or in any other name, shall previously pay to the attending commissioners, the sum of five dollars for every share to be subscribed, out of which shall be defrayed the expense attending the taking such subscription, and other incidental charges; and the remainder shall be paid over to the treasurer of the said corporation, as soon as the same shall be organized, and the officers chosen as hereinafter mentioned.

When 300 shares are subscribed, the governor to receive notice.

Who shall by letters patent create the subscribers into a body politic.

Name and style of.
Privileges of said company.

Their powers.

Notice of election to be given.

SECT. II. *And be it further enacted by the authority aforesaid*, That when fifty persons or more shall have subscribed three hundred or more shares of the said stock, the said commissioners respectively may, or when the whole number of shares aforesaid shall be subscribed, they shall certify under their hands and seals, the names of the subscribers, and the number of shares subscribed by each, to the governor; and thereupon it shall and may be lawful for the governor, by letters patent under his hand and the seal of the state, to create and erect the subscribers, and if the said subscription be not full at the time, then also those who shall afterwards subscribe to the number aforesaid, into one body politic and corporate, in deed and in law, by the name, style and title of "The Spring House Northampton town, and Bethlehem Turnpike Company," and by the said name the said subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation, and shall be capable of taking and holding their said capital stock, and the increase and profits thereof, and of enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, if such enlargements shall be found necessary to fulfil the intent of this act; and of purchasing, taking, and holding to them and their successors and assigns, of selling, transferring, and conveying in fee simple, or for any lesser estate, all such lands, tenements, hereditaments, and estate, real and personal, as shall be necessary to them in the prosecution of their works; and of suing and being sued; and of doing all and every other matter and thing which a corporation, or body politic may lawfully do.

SECT. III. *And be it further enacted by the authority aforesaid*, That the commissioners aforesaid, as soon as conveniently may be after the said letters patent shall be sealed and obtained, shall give notice in two or more public newspapers, printed in the city of Philadelphia, one at Norristown, one at Doylestown, and two at Easton, if they think necessary, of the time and place by them to be appointed, not less than twenty days from the publication of the first notice; at which time and place the said subscribers

shall proceed to organize the said corporation; and shall choose by a majority of votes of the said subscribers, by ballot to be delivered in person, or by proxy duly authorized, one president, twelve managers, one treasurer, and such other officers as they shall think necessary to conduct the business of the said company for one year; and until such other officers shall have been chosen; and shall and may make such by-laws, rules, regulations and orders, not inconsistent with the constitution and laws of the United States, or of this state, as shall be necessary for the well ordering the affairs of the said company: *provided always*, that no person shall have more than five votes at any election, or in determining any question arising at such meeting, whatsoever number of shares he or she may be entitled to, and that each person shall be entitled to one vote for every share by him or her held under the said number.

Officers to be chosen.

By-laws.

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SECT. IV. *And be it further enacted by the authority aforesaid*, That the said company shall meet on the first Monday in January, next following their organization, and on the first Monday in January in every year thereafter, at such place as shall be fixed by their by-laws for the purpose of choosing officers as aforesaid, for the ensuing year, in manner aforesaid; and at such other times as they shall be summoned by the managers, in such manner and form as shall be prescribed by their by-laws; at which annual or special meetings they shall have full power and authority to make, alter or repeal, by a majority of votes, in manner aforesaid, all such by-laws, rules, orders and regulations as aforesaid, and to do and perform any other corporate acts.

The annual election for officers.

Power to alter their by-laws.

SECT. V. *And be it further enacted by the authority aforesaid*, That the president and managers first to be chosen as aforesaid, shall procure certificates to be written or printed for the shares of the stock of said company, and shall deliver one such certificate signed by the president, and countersigned by the treasurer, and sealed with the common seal of the said corporation, to each person for every share by him or her subscribed or held, he, she or they, paying to the treasurer in part of the sum due thereupon, the sum of ten dollars for each share; which certificate shall be transferrable at his, her or their pleasure, in person or by attorney duly authorized, in the presence of the president or treasurer, subject however to all payments due and to become due thereon; and the assignee holding any certificate having first caused the assignment to be entered in a book of the said company, to be kept for the purpose, shall be a member of the corporation; and for every certificate assigned to him as aforesaid, shall be entitled to one share of the capital stock of all the estate and emolument of the company, and to vote as aforesaid at the meetings thereof.

Each person to receive from the president, &c. a certificate of the shares of stock.

Said certificate transferrable.

The assignee of such certificate to become a member of the company, &c.

SECT. VI. *And be it further enacted by the authority aforesaid*, That the said president and managers shall meet at such times

Seven members shall be a quorum.

Their powers.

and places as shall be ordained by their by-laws; and any seven members shall form a quorum, who, in the absence of the president, may choose a chairman; they shall keep minutes of all their transactions fairly entered in a book; and a quorum being formed, they shall have full power and authority to appoint all such surveyors, engineers, superintendants, and other artists, and officers, as they shall deem necessary to carry on their intended works; and to fix their salaries and wages; to ascertain the times when, and manner and proportion in which the stockholders shall pay the monies due on their respective shares, in order to carry on the work; and to draw orders on the treasurer for all monies necessary to pay the salaries, or wages of persons by them employed, and for the materials: *provided*, such draft shall be signed by the president, or in his absence by a majority of a quorum; and generally to do all such other acts, matters and things, as by this act and the by-laws, rules, orders and regulations of the company they shall be authorized to do.

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Payment of dividends.

SECT. VII. *And be it further enacted by the authority aforesaid*, That if after thirty days notice in two of the public newspapers, printed in the city of Philadelphia, and one in each of the counties of Montgomery, Bucks, Lehigh and Northampton of the time and place appointed for the payment of any proportion or dividend of the said capital stock, in order to carry on the work any stockholder shall neglect to pay such proportion or dividend at the place appointed, for the space of thirty days after the time so appointed, every such stockholder, or his assignee, shall in addition to the dividends so called for, pay after the rate of five per cent per month for delay of such payment; and if the same and the said additional penalty shall remain for such space of time as that the accumulated penalty, shall become equal to the sums before paid in part and on account of such shares, the same shall be forfeited to the said company, and may be sold to any person or persons willing to purchase, for such price as can be obtained for the same.

Penalty on delinquents.

President and managers to enter on all lands, &c.

SECT. VIII. *And be it further enacted by the authority aforesaid*, That it shall be lawful for the president and managers, their superintendants, surveyors, artists and chain bearers, to enter into and upon all and every the lands and enclosures, in, through and over which the said turnpike road may be thought proper to pass; and to examine the ground most proper for the purpose, and the quarries, and beds of stone and gravel, and other materials in the vicinity that will be necessary for making and constructing said road; and to survey, lay down, ascertain, mark, and fix such route or track for the same, as in the best of their judgment and skill will combine shortness of distance with the most practicable ground.

And mark the route of said road.

To give notice of their intentions to the owners of land.

SECT. IX. *And be it further enacted by the authority aforesaid*, That it shall be lawful for the said president and managers, their superintendants, engineers, artists and labourers, with

their tools and instruments, and carts, waggons, wains and other carriages, and with beasts of draught or burden, to enter upon the lands in, over, contiguous, or near to which the route and track of the said intended road shall pass, first giving notice of the intention to the owners thereof, or their representatives, and doing as little damage thereto as possible, and repairing any breaches they may make in the enclosures thereof, and making amends for any damages that may be done to the improvements thereon upon agreement, if they can agree, or if they cannot agree thereon then upon an appraisement to be made, upon oath or affirmation, by three disinterested freeholders mutually to be chosen; or if the owners upon due notice, shall neglect or refuse to join in the choice, then to be appointed by any justice of the peace in the county not interested on either side; and the said freeholders or any two of them, agreeing, shall deliver their award to the said justice in writing, and on payment or tender of the aforesaid value, the said president and managers, and their workmen, may proceed to dig, take, and carry away any stone, gravel, sand or earth, being most conveniently situated for making or repairing the said road: *provided*, that under the last manner of appointment of the said freeholders, either of the parties may appeal to the court in the usual manner, within six days from the time of giving the award.

Appraisement to be made of the damages of property, and how.

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SECT. X. And be it further enacted by the authority aforesaid, That if the said road shall be laid out upon any land whereby the owner thereof shall suffer damage, the person or persons sustaining such damage may make application within one year thereafter, to the court of the county in which such damage is sustained; and thereupon the court shall appoint six disinterested persons to view, who shall be on oath, and shall take into view the advantages as well as the disadvantages, and adjudge the amount of the damage so done, which if approved of by the said court shall be paid by the company.

Persons injured by the said road, to apply to the court for redress.

SECT. XI. And be it further enacted by the authority aforesaid, That the said president, managers and company, shall cause a road to be laid out, not less than fifty feet nor more than sixty feet in width, in such manner as that the present buildings on said road be not injured, and at least twenty-one feet thereof to be made an artificial road, bedded with wood, stone, gravel, or any other hard substance well compacted together, and of sufficient depth to secure a solid foundation to the same; and the said road shall be faced with gravel, or stone pounded, or other small hard substance, in such manner as to secure a firm, and as near as the materials will admit an even surface, and so nearly level with its progress as that it shall in no place rise or fall more than will form an angle of four and an half degrees, with a horizontal line, and shall forever hereafter, maintain and keep the same in good and perfect order, from the Spring House ta-

Width of the road.

The artificial part.

The company to keep it in repair.

vern, in Montgomery county, by way of Montgomery square, Trevig's tavern, Sellers' tavern, Swamp meeting house, Fry's tavern, (late Cooper's,) and from thence to the borough of Northampton in the county of Lehigh, with a convenient section to the town of Bethlehem in the county of Northampton. And the said president, managers and company shall have power to erect permanent bridges over all the waters crossing the said road.

When 5 miles are completed.

The governor to receive notice, who shall appoint viewers.

And if they report favourable, the governor shall permit said company to erect gates, &c.

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SECT. XII. *And be it further enacted by the authority aforesaid,* That so soon as the company shall have perfected the said road from the Spring House tavern, the distance of five miles, and so from time to time, any distance not less than five miles, progressively; likewise when the remainder shall be finished, they shall give notice thereof to the governor; who shall thereupon forthwith nominate and appoint three disinterested persons to view and examine the same, and report to him in writing, whether the said road is so far executed in a masterly and workmanlike manner, according to the true intent and meaning of this act, and if their report shall in either case be in the affirmative, then the governor shall, by license under his hand and the less seal of the commonwealth, permit and suffer the said president, managers and company, to erect and fix so many gates and turnpikes upon and across the said road, as will be necessary and sufficient to collect the tolls and duties hereinafter granted to the said company, from all persons travelling on the same with horses, cattle, carts and carriages: *provided*, that no toll be demanded or taken from any person or persons passing or repassing from one part of his farm to another; *provided*, it does not exceed two miles, and all persons attending funerals, places of worship, and all militia men on days of training, and all electors going to or returning from any election, their horses and carriages, shall be exempt from the payment of tolls in going to, and returning therefrom.

When license is obtained the following tolls shall be exacted.

SECT. XIII. *And be it further enacted by the authority aforesaid,* That when the said company is licensed in manner aforesaid, it shall and may be lawful for them to appoint such and so many toll gatherers as they shall think proper, to collect and receive of and from every person or persons using the said road, the tolls and rates hereinafter mentioned, and to stop any person, riding or leading any horse, or driving any horses, cattle, sheep or swine, coach, coachee, sulkey, chair, chaise, phaeton, cart, wagon, wain, sleigh, sled, or any other carriage of burthen or pleasure, from passing through the said turnpikes until they shall respectively have paid the same: *that is to say*, for every five miles in length, completed and licensed, as aforesaid, the following sums of money, and in proportion for any less distance, and for any greater or less number of sheep, hogs or cattle; *to wit*, for every score of hogs, six cents; for every score of sheep, six cents; for every score of cattle, twelve cents; for every horse

and his rider, or led horse, three cents; for every sulkey, chair or chaise, with one horse and two wheels, six cents; and with two horses, nine cents; for every chariot, phaeton, coach or chaise, with two horses and four wheels, twelve cents; for every other carriage of pleasure, under whatsoever name it may be known, the like sums according to the number of wheels and horses drawing the same; for every stage waggon with two horses drawing the same, twelve cents; and for every such waggon with four horses, twenty cents; for every sleigh, three cents for each horse drawing the same; and for every sled, two cents for each horse drawing the same; and for every cart or waggon, the breadth of the wheels of which shall exceed four inches and not exceed seven inches, three cents for each horse drawing the same; for every cart or waggon, the breadth of the wheels of which shall be more than seven inches and not exceed ten inches or being of the breadth of seven inches and not roll more than ten inches, two cents for every horse drawing the same; for every cart or waggon, the breadth of the wheels of which shall be more than ten inches and not exceed twelve inches, or being ten inches shall roll more than fifteen inches, one cent for each horse drawing the same; and if any person or persons shall represent to the said company, or any of their officers, that he, she or they, shall have travelled a less distance than he, she or they have actually travelled along the said road, with intent to defraud the said company of its toll, or any part thereof, such person or persons shall for every such offence forfeit and pay to the use of the said company, the sum of sixteen dollars; and if any toll-gatherer shall demand and receive toll for a greater distance than the person of whom such toll is demanded shall have travelled along the said turnpike road, or shall demand and receive greater toll from any person or persons than such toll-gatherer is authorized to demand and receive by virtue of this act, such toll-gatherer shall forfeit and pay the sum of twenty dollars for every such offence, to the use of the poor in the township in which the forfeiture is incurred; but if there be no poor then to the supervisors for the repair of the roads in said township, and for the payment of which the said company shall be responsible.

Penalty against persons committing fraud.

Penalty against toll-gatherers, &c.

SECT. XIV. *And be it further enacted by the authority aforesaid,* That all such carriages as aforesaid which may be drawn by oxen, or partly by horses and partly by oxen, two oxen shall be estimated as equal to one horse, in charging all the aforesaid tolls, and every mule as equal to one horse.

Estimate of tolls of beasts of draught.

SECT. XV. *And be it further enacted by the authority aforesaid,* That if the said company shall neglect to keep the said road in good and perfect order for the space of five days, and information shall be given thereof to any justice of the peace of the neighbourhood within the county where the repair ought to be

Neglect of the company.

How proceeded
in.

made, such justice shall issue a precept to be directed to any constable, commanding him to summon three disinterested persons to meet at a certain time in the precept to be mentioned, at the place in such road as shall have been complained of, of which meeting notice shall be given to the keeper of the gate or turnpike nearest thereto within the said county; and the said justice shall at such time and place, on the oaths or affirmations of the said persons, inquire whether the said road or any part thereof, is in such good and perfect order and repair as aforesaid, and if upon such inquiry the said road shall be found to be out of order and repair, contrary to the true intent and meaning of this act, the said justice shall cause an inquisition thereof to be made, under his own hand and at least two of the said persons, one copy whereof he shall certify and send to each of the keepers of the turnpikes or gates between which such defective place shall be, and from thenceforth the tolls hereby granted to be collected at such turnpikes or gates, shall cease to be demanded, paid or collected, until the said defective part or parts of the said road shall be put in good and perfect order and repair as aforesaid; and if the same shall not be put in good and perfect order and repair before the next court of quarter sessions of the peace, to be held for the county in which the defect is proved to be, the said justice shall certify and send a copy of the inquisition aforesaid to the justices of the said court, who shall thereupon cause process to issue to bring in the body or bodies of the person or persons entrusted by the said company with the care and superintendance of such part of said road, as shall be so found defective, and shall proceed thereon as in the case of supervisors of the highways for neglect of their duty; and if he or they shall be convicted of the offence charged by the said inquisition, the said court shall give such judgment according to the nature and aggravation of the neglect, as they in their discretion shall judge proper: *provided*, the fine in no instance shall be less than twenty dollars, nor exceeding one hundred dollars; and the fines so imposed shall be recovered in the same manner as fines for misdemeanors are usually recovered in the said county, and shall be paid to the supervisors of the highways of the township wherein the offence was committed, to be applied to repairing the highways and public roads therein.

No toll to be received while the road is defective.

The interference of the court against toll gatherers, similar to that of supervisors.

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Persons passing through private gates or bars with intent to defraud, liable to a fine.

SECT. XVI. *And be it further enacted by the authority aforesaid,* That if any person or persons whosoever, owning, riding in, or driving any sulkey, chair, chaise, phaeton, cart, waggon, wain, sleigh, sled, or other carriage of burden or pleasure; riding or leading any horse, mare or gelding, or driving any sheep, hogs, or other cattle, shall therewith pass through any private gates or bars, or along or over any private passage, way or other ground near to or adjoining any turnpike or gate erected, or which shall be erected in pursuance of this act, with an intent to defraud

the said company and avoid the payment of the toll or duty for passing through any such gate or turnpike ; or if any person or persons shall with such intent, take off, or cause to be taken off, any horse, mare or gelding, or other cattle, from any sulkey, chair, chaise, phaeton, cart, waggon, wain, sleigh, sled, or other carriage of burden or pleasure, or practice any other fraudulent means or device, with the intent that the payment of any such toll or duty may be evaded or lessened, all and every such person or persons, in all and every, or any of the ways or manners aforesaid offending, shall for every such offence respectively, forfeit and pay to the president, managers and company, of the said turnpike road, any sum not exceeding ten dollars, to be sued for, and recovered with costs of suit, before any justice of the peace, in like manner and subject to the same rules and regulations as debts of a similar amount may be sued for and recovered : *provided always*, that if any person or persons shall be thus prosecuted, and the said prosecution shall not be sustained on the part of the prosecutors, then and in such case the person or persons prosecuted as aforesaid, shall receive from the said company the sum of twenty dollars, in lieu of damages arising from delay and a vexatious prosecution, recoverable as other fines are under this act.

Penalty against persons committing fraud.

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SECT. XVII. *And be it further enacted by the authority aforesaid*, That the president and managers of the said company shall keep fair and just accounts of all monies received by them from the said commissioners, from the subscribers to the said undertaking, on account of the several subscriptions, of all penalties for delay in the payment thereof, and the amount of the profits on the shares which may be forfeited as aforesaid, and also of all monies by them expended in the prosecution of their said works ; and shall once at least in every year, submit such accounts to a general meeting of the stockholders until the said accounts shall be completed and until all the costs, charges, and expenses of effecting the same shall be fully paid and discharged, and the aggregate amount of such expenses shall be liquidated and ascertained ; and if upon such liquidation, or when the capital stock of said company shall be nearly expended, it shall be found that the said capital stock will be insufficient to complete the said road according to the true intent and meaning of this act, it shall and may be lawful for the said president, managers and company, at a stated or special meeting to be convened according to the provisions of this act, or their own by-laws, to increase the number of shares to such extent as shall be deemed sufficient to accomplish the work, and to receive and demand the monies subscribed for such shares, in like manner and under like penalties as are herein before provided for the original subscription, or as shall be provided by their by-laws.

President and managers to keep fair accounts, &c.

The accounts to be annually submitted to the stockholders.

The company to have power to increase the number of shares.

SECT. XVIII. *And be it further enacted by the authority aforesaid*,

That the said president, managers and company, shall also keep a just and true account of all the monies received by their several and respective collectors of tolls, at the several and respective gates or turnpikes on the said road, from the beginning to the end thereof; and shall make and declare a dividend of the clear profits and income thereof, all contingent costs and charges being first deducted, among all the subscribers to the said company's stock; and shall, on the second Monday in November and May, in every year, publish the half yearly dividend made of the said clear profits among the stockholders, and the time and place, when and where the same will be paid, and shall cause the same to be paid accordingly.

When dividends shall be declared.

SECT. XIX. *And be it further enacted by the authority aforesaid,* That the said president and managers, shall, at the end of every year after the said road is completed, lay before the general assembly, an abstract of their accounts, shewing the whole amount of capital expended in the prosecution of the said work, and of the income and profits arising from the said tolls for and during the said respective periods, together with an exact account of the costs and charges in keeping the said road in repair, and all other contingent costs and charges, that the clear annual income and profits thereof may be known and ascertained; and if at the end of one year after the said first section of five miles, and every like succeeding section of the said road shall be completed, it shall appear from the average profits at the end of the said one year, that the said clear income and profits will not yield a dividend of six per cent. per annum, on the whole capital stock of the said company so expended, then it shall and may be lawful for the president, managers and company, to increase the tolls herein before allowed, so much upon each and every allowance thereof, as will raise the said dividend up to six per centum; and at the end of every year after the said road shall be completed, they shall render to the general assembly a like abstract of their accounts; and if at any time the said clear income and profits thereof, shall exceed a dividend of nine per centum per annum, then the said toll shall be so reduced, as to reduce the said dividend down to nine per centum, per annum.

President and managers to lay annually an abstract of their accounts before the legislature.

If the profits will not yield 6 per centum, at the end of the year, the company shall have power to increase their toll, &c.

SECT. XX. *And be it further enacted by the authority aforesaid,* That the said president and managers, shall cause posts to be erected and continued at the intersection of every public road falling into, or leading out of, the said turnpike road, with a board or index-hand pointing to the direction of such road; on both sides whereof shall be inscribed in legible characters, the name of the town, village, or place to which such road leads, and the distances thereof, in measured or computed miles.

Post boards and index-hands to be erected at cross roads, &c.

SECT. XXI. *And be it further enacted by the authority aforesaid,* That the said company shall cause mile-stones to be placed on

the side of the said road, and also cause to be affixed at each gate, a printed list of the rates of toll, which from time to time may lawfully be demanded, for the information of travellers and others, using the said road; and if any person or persons shall wilfully destroy the said posts, boards, index-hands, or mile-stones, as aforesaid, or shall without permission of the acting superintendant of the said road, throw out upon the said road or within the limits thereof, and shall suffer to remain for the space of one day after notice thereof shall have been given to him, her, or them; any mould, dirt, shavings, weeds or rubbish of any kind, such person or persons being convicted thereof, by the evidence of one or more creditable disinterested witness or witnesses, before any justice of the peace of that county in which the offence shall have been committed, he, she, or they, shall be adjudged by the said justice to pay a fine not exceeding five dollars, to be recovered with costs, as debts of equal amount are or may be by law recoverable; which fine when recovered, shall be paid by the said justice to the treasurer of the said company, for the use of the said company.

Mile-stones to be erected; and printed lists of the toll to be affixed at each gate.

Penalty for defacing mile-stones, &c.

SECT. XXII. *And be it further enacted by the authority aforesaid,* That all waggoners and drivers of carriages of all kinds, whether of burthen or pleasure, using the said road, shall, except when passing by a carriage of slower draught, keep their horses and carriages on the right hand side of the said road, in the passing direction, leaving the other side of the road free and clear for other carriages to pass; and if any driver shall offend against this provision, he shall forfeit and pay any sum not exceeding two dollars, to any person who shall be so obstructed in his passage, and will sue for the same, to be recovered with costs, before any justice, in the same manner as debts of equal amount are by law recoverable.

Waggoners, &c. to keep to the right hand side of the road, &c.

Forfeiture in case of neglect.

SECT. XXIII. *And be it further enacted by the authority aforesaid,* That if the said company shall not proceed to carry on the said work within five years after the passing of this act, or shall not within ten years thereafter, complete the said road, according to the true intent and meaning of this act, then, and in either of those cases, all and singular the rights, privileges, liberties and franchises, hereby granted to the said company, shall revert to this commonwealth.

In what cases the liberties of the company shall revert to the commonwealth.

SECT. XXIV. *And be it further enacted by the authority aforesaid,* That if the legislature should at any time after the year one thousand eight hundred and thirty-seven, think proper to take possession of said road, three persons shall be appointed by the governor, three by the president and managers of the said company, and three by the judges of the supreme court, who are hereby required to appoint the same, who or any six or more of them, not having any interest in the said road, shall proceed to examine and estimate the value of the property which the said

After the year 1837, the said road shall become free, if the legislature think proper.

company have therein, and certify the amount thereof to the governor, who shall cause the same to be laid before the legislature at their next session ; and whenever the amount so certified shall be paid by the state to the said company, their right to take toll on the said road, together with all their right, title, claim, and interest therein, shall cease and determine.

After paying the estimate amount to the company.

JOHN TOD, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the sixteenth day of January, one thousand eight hundred and thirteen.

SIMON SNYDER.

CHAPTER XIII.

An ACT to annul the marriage of Jesse Hopkins and Sarah Hopkins.

WHEREAS it appears to the legislature that Sarah Hopkins, late Sarah Mewhorter, was lawfully married on the thirty-first day of March, one thousand eight hundred and six, to Jesse Hopkins, who has since the said marriage, wilfully deserted his said wife, and is at present undergoing imprisonment at hard labour in the state prison at New York, for feloniously passing counterfeit bank notes, in pursuance of the judgment of a court of oyer and terminer held for Washington county, in June last : Therefore,

SECT. 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 by the said Jesse Hopkins and Sarah his wife, late Sarah Mewhorter, both late of the county of Northampton, be and the same is hereby annulled and made void, and the parties respectively set free and discharged from the marriage contract and from all duties and obligations arising therefrom, as fully, effectually, and absolutely, as if they had never been joined in marriage : provided however, that nothing herein contained, shall be construed to affect or render illegitimate any child or children, born of the body of the said Sarah during her coverture.*

Marriage contract between Jesse Hopkins and Sarah his wife, dissolved.

Legitimacy of the children not to be affected.

JOHN TOD, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the sixteenth day of January, one thousand eight hundred and thirteen.

SIMON SNYDER.