

[No. 158.]

AN ACT

For the relief of the Overseers of the Poor of the borough of Erie, and for other purposes.

Preamble WHEREAS, The power of the overseers of the poor of the borough of Erie to lay a rate on assessment has been entirely repealed by the recent act erecting a poor house for the county of Erie; and as previous thereto the overseers of the poor of said borough have contracted debts for the support of the poor thereof, beyond the rates and assessments levied therefor; and as no power now exists to lay a rate or assessment for the payment of the same; therefore

Tax 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 burgess and town council of the borough of Erie, in the county of Erie, are hereby authorized and directed to lay a rate or assessment, not exceeding one cent on the dollar, upon all real and personal estate, in said borough, to be ascertained from the assessor's book, to pay Judah C. Spencer, Hezekiah Bates and William W. Wells, late overseers of the poor of the said borough, the respective sums due them for accounts made and money expended by them for the support of the said poor whilst overseers thereof, beyond the taxes laid and collected by them for that purpose, which said sums have been ascertained and settled by the auditors of the said borough.

Chester co SECTION 2. That so much of the eighth section of an act, entitled "An Act to authorize Thomas Gardner, Benjamin J. Miller and Isaac Coates, trustees, to sell and convey certain real estates, and for other purposes," passed and approved the twenty-third day of June, one thousand eight hundred and forty-two, be and the same is hereby repealed, so far as it relates to the school and road taxes in the township of East Nantmeal, in the county of Chester.

**Chester boro'
Delaware co
taxes** SECTION 3. That it shall and may be lawful for the town council of the borough of Chester, in the county of Delaware, to appoint some suitable citizen of said borough collector of all taxes they may assess, who shall give bond and such security to the corporation, in such sum as the said town council, or a majority of them, shall deem necessary,

conditioned for the faithful performance of said duties; and the chief burgess, or in his absence or inability to act, the assistant burgess of said borough is hereby authorized and empowered to issue his precept or warrant, directed to such collector, commanding him to collect all taxes assessed from time to time as aforesaid, and the same to pay over to the treasurer appointed by the said town council; and that so much of the eighth section of an act, entitled "An Act to erect the town of Chester, and its vicinity, in the county of Delaware, into a borough, and for other purposes therein mentioned," passed the seventeenth day of February, one thousand eight hundred and eighteen, as relates to the collection of taxes, be and the same is hereby repealed.

SECTION 4. That every warrant to the collector, issued as hereinbefore provided, shall be effectual to authorize him to collect the sums charged in his duplicates during the period of five years from the date of his warrant; and that the warrants issued for the collection of taxes assessed during the years one thousand eight hundred and thirty-nine, one thousand eight hundred and forty, shall be effectual to authorize the collector of said taxes, to collect the same, uncollected, charged in the duplicates annexed to said warrants, until the expiration of one year after the passage of this act. Collector's warrant

SECTION 5. That the "Act to incorporate the Pittsburg and Connellsville railroad company," passed on the third day of April, one thousand eight hundred and thirty-seven, be revived, extended and continued in force upon the same railroad terms, conditions and limitations, from and after the passage of this act, as were contained in the original act, from and after the date of its passage: *Provided however*, That the shares of stock be reduced from one hundred dollars to fifty dollars, and that the amount to be paid on each share at the time of subscribing, be reduced from five dollars to two dollars and fifty cents: *And provided also*, That the commissioners named in the original act, or the survivors of them, have the same authority and power to act, and upon the same conditions and under the same limitations as those commissioners had under the original act. Pittsburg and Connellsville railroad

SECTION 6. That the counties of Allegheny, Westmoreland, Fayette and Somerset, and any city, borough, or incorporated company, shall have authority to subscribe thereto as fully as any individual could do, and shall be represented at elections, and in other acts of said company, by agents duly appointed by the commissioners of the respective counties, or by the mayors, chief officers, and the presidents of said cities, boroughs, and incorporated companies; all which subscriptions may be required in instalments, as the company Subscriptions thereto

may think proper: *Provided*, That no more than one-third of the money subscribed shall be required in any one year.

Route

SECTION 7. That said company shall have full power and discretion to select any route from the city of Pittsburg to Turtle creek, which may be deemed most eligible and advantageous, and may extend said railroad beyond Connelssville to Smithfield, or any other point on the waters of the Youghiogheny, and within the limits of this commonwealth.

Delaware co

SECTION 8. That the provisions of the several sections of the act of the general assembly, passed the third day of February, Anno Domini one thousand eight hundred and twenty-four, entitled "An Act relating to taxes on certain real estate, in the city and county of Philadelphia," be and the same is hereby extended to the county of Delaware.

Creditors

SECTION 9. That the seventh section of an act, entitled "An Act to enable creditors to attach legacies and property in the hands of executors and administrators, and for other purposes," passed the twenty-seventh day of July, eighteen hundred and forty-two, and the first and second sections of a resolution, passed the fifth of April, one thousand eight hundred and forty-two, entitled "A resolution extending the provisions of the resolution of the twenty-fourth of June, one thousand eight hundred and thirty-nine, relative to the Lumberman's bank of Warren, until the first day of March, one thousand eight hundred and forty-three, and for other purposes," be and the same are hereby repealed: *Provided*, That all acts done by the persons therein named as trustees to wind up the Lumberman's bank at Warren, in pursuance of the resolution of the twenty-fourth of June, one thousand eight hundred and thirty-nine, and the several supplements thereto, and all acts done by said persons as assignees of the said Lumberman's bank at Warren, in pursuance of the act of the twelfth of March, one thousand eight hundred and forty-two, shall be deemed valid and binding in law: *Provided further*, That nothing herein contained shall be construed to exempt the said assignees from answering to the court of common pleas agreeably to the provisions of the said act of the twelfth of March, eighteen hundred and forty-two: *Provided further*, That the sections repealed shall not affect the rights of parties now in court.

Proviso

Accepting
school dis-
tricts

SECTION 10. That the school directors in the non-accepting school districts are hereby authorized to require the supervisors of the several districts to give such security as they may deem necessary for the faithful performance of the duties enjoined upon them by the act, entitled "An Act to provide for the education of the poor in the non-accepting school districts of this commonwealth, and for other purposes," passed

the thirtieth day of July, one thousand-eight hundred and forty-two.

SECTION 11. That the sequestrator of the Lewistown and Sequestrator Huntingdon turnpike road be and is hereby directed, out of Lewistown of the money received from time to time for the payment and Huntingdon of tolls on said road, to pay the amount of a judgment of don turnpike William Steely, against said road, for repairs done upon the road same; also the balances due to Thomas Kerr, late sequestrator, and the hands employed under him in repairing said road.

SECTION 12. That it shall be the duty of the auditors of the township of Lower Oxford, within ten days after the third Friday of April, one thousand eight hundred and forty-three, to divide the roads and public highways of said township into sections; and when the said auditors shall have so divided the roads into sections, they shall proceed to assign, mark out and give to each farmer or land-holder in said township, a section or sections of road that may be contiguous or convenient to his or her property; such section or sections of road being proportioned to the county taxes, which may be assessed upon such farmer or land-holder; and it shall further be the duty of said auditor to furnish the supervisors of said township with an account of the limits of each section, and the name of the person to whom it was given. Chester co

SECTION 13. If any person who may have a section assign-Roads ed to him, shall neglect to keep the same in good repair, it shall be the duty of the supervisors to give such person notice, that his section must be repaired within ten days, and if he shall neglect to put his section in repair until the expiration of the said ten days, it shall then be the duty of the supervisors to proceed to repair the same; and all the costs of repairing said section by the supervisor shall be collected from the person to whom said section had been assigned, in the same manner as other debts are now collected; and if any person shall remove out of the township, or sell a property or farm, the section which was assigned to him shall be kept in repair by the person who may own or occupy such farm or property. Repair

SECTION 14. It shall be the duty of each individual who shall have a section of road thus assigned to him, to mend and keep in repair the same for a term of five years, commencing ten days after the third Friday of April, one thousand eight hundred and forty-three; at the expiration of this term of five years, the road shall again be divided into sections, and so on, once in every five years, during the continuance of this act. Term of years

SECTION 15. New roads shall be opened, and foot and other bridges kept up and repaired as provided for by the existing laws on that subject.

HENDRICK B. WRIGHT,
Speaker of the House of Representatives.

B. CRISPIN,
Speaker of the Senate.

APPROVED—The eighteenth day of April, one thousand eight hundred and forty-three.

DAVID R. PORTER.

[No. 159.]

AN ACT

To revive and continue in force "An Act to incorporate the Pittsburg and Laughlinstown Railroad company," passed on the third day of April, one thousand eight hundred and thirty-seven.

Continued

Proviso

Subscription
to stock

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 "Act to incorporate the Pittsburg and Laughlinstown railroad company," passed on the third day of April, one thousand eight hundred and thirty-seven, be revived and extended and continue in force upon the same terms, conditions and limitations, from and after the passage of this act, as were contained in the original act, from and after the date of its passage: *Provided however,* That the amount to be paid on each share at the time of subscribing, be reduced from five dollars to two dollars and fifty cents: *And provided also,* That the commissioners named in the original act, or the survivors of them, have the same authority and power to act, and upon the same conditions and under the same limitations as those commissioners had under the original act.

SECTION 2. That the counties of Allegheny, Westmoreland and Somerset, and any city, borough or incorporated company shall have authority to subscribe thereto by their proper officer, as fully as any individual could do; and shall be represented at elections and in other acts of said company