

Dam how
constructed

their associates and assigns, are hereby authorized to erect a dam across the West Branch of the Susquehanna river, in Loyalsock and Clinton townships, Lycoming county, extending from the upper end of Hepburn's Island to the southern shore of the river, and not exceeding two feet in height, for the purpose of supplying their mills with an additional quantity of water, and to be so constructed as to do no injury to the rights of individuals, or to obstruct or impede the ascending or descending navigation of said river.

WM. A. CRABB,

Speaker of the House of Representatives.

JN. H. EWING,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, one thousand eight hundred and forty-one.

DAVID R. PORTER.

[No. 61.]

AN ACT

To provide for a survey of the borough of Frankford, in the county of Philadelphia.

Survey how
conducted

New streets

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, the burgesses and inhabitants of the said borough of Frankford, in the county of Philadelphia, are hereby authorized and required to appoint one or more surveyors, who shall at all times be directed and governed by the said burgesses and inhabitants, and who are hereby enjoined and required, as soon as conveniently may be, to survey and mark the lines of all the streets, roads, lanes, courts and alleys, now opened or intended to be opened for public use within the said borough, and also to survey and lay out such other new streets, lanes, courts and alleys, and common sewers within the said borough as he or they shall deem necessary for a regular and convenient town plan, and for the more equal distribution and ready discharge of the waters thereof, and for that purpose the said surveyor

or surveyors shall have full power and authority with or without his or their assistant or assistants to enter upon the land or lands of any person or persons within the said borough, and when the said survey and regulations shall be completed, the said surveyor or surveyors shall make or cause to be made, two draughts or plans thereof with every explanation necessary for a full understanding of the same, and one of the said draughts or plans shall be returned to the said bur-
Power of surveyors
 gesses or assistants, who shall keep the same in such place as they shall fix upon, and the other of the said draughts or plans shall be returned to the clerk of the court of general sessions of the county of Philadelphia, or some other court of said county of similar jurisdiction, to be filed in his office for public inspection and examination; and it shall be the duty of the said bur-
Drafts where deposited
 gesses and assistants to give at least thirty days previous notice in at least two public newspapers, published in Philadelphia, and by handbills posted up in at least ten of the most public places in the said borough, that on a certain day to be appointed by the court, the said court will hear any ob-
Complaints how redressed
 jections that may be made thereto by any of the freeholders of the said borough, and where the said draught or draughts, or plans, are deposited for inspection, and the said court shall at the time appointed, adjudge and determine whether any and what alteration shall be made therein, and shall direct the said draught or plan with such alterations as shall be made to be recorded in the office for the recording of deeds for the city and county of Philadelphia, and thenceforth all the streets, roads, lanes, courts and alleys, shall be forever deemed, adjudged and taken to be public highways, and the survey and regulations so returned and recorded, shall be and remain unalterable; and inasmuch as the public convenience will be for the present answered by the certain knowledge where and in what manner such streets, roads, lanes, courts and alleys, will in future run, but as it may not be necessary immediately to lay all of them open, and in order to provide for the open-
Opening of streets &c
 ing of the same from time to time as the increasing improvement of the borough may require, it shall be lawful for any number of freeholders of the said borough, not less than seven, whose lands lie near or adjoining to such street, road, lane, court or alley, to apply by petition to the court of general sessions of the city and county of Philadelphia, who after hearing the petitioners and such other freeholders through whose lands such street, road, lane, court or alley may pass, as shall offer objections thereto, to determine whether it be proper at the time to direct the opening of the same; and if the court shall be of opinion that the state of improvement in the neighbourhood is such as to require the opening thereof, they shall issue their warrant directed to the superintendent of the streets, roads, lanes or alleys, in the said borough, enjoining and re-

LAWS OF PENNSYLVANIA

quiring him to open such street, road, lane or alley in the borough of Frankford aforesaid.

WM. A. CRABB,

Speaker of the House of Representatives.

JN. H. EWING,

Speaker of the Senate.

APPROVED—This twenty-ninth day of March, one thousand eight hundred and forty-one.

DAVID R. PORTER.

[No. 62.]

A N A C T

To annul the marriage contract of Eliphalet Thompson with Phebe 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 by and between Eliphalet Thompson and Phebe Thompson 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 the legal duties and obligations arising therefrom as fully, effectually, and absolutely, as if they had never been joined in marriage: *Provided,* That nothing herein contained shall be construed to render illegitimate the child or children of said marriage.

Marriage contract annulled

WM. A. CRABB,

Speaker of the House of Representatives.

JN. H. EWING,

Speaker of the Senate.

We do hereby certify that the bill entitled "an act to annul the marriage contract of Eliphalet Thompson with Phebe his wife," was presented to the Governor on Monday the fifteenth day of March, one thousand eight hundred and forty-one, and was not returned within ten days, (Sundays excepted) after it had been presented to him. Wherefore it has agreeably to the constitution of this commonwealth, become a law, in like manner as if he had signed it.

ALEX. RAMSEY,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

Harrisburg, March 29, 1841.