

[No. 111.]

A SUPPLEMENT

To an act entitled "An act to ascertain certain parts of lines between the counties of Berks, Northampton, Northumberland, and Luzerne, and for other purposes," therein mentioned, passed the seventeenth day of April, one thousand seven hundred and ninety-five, 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 Thomas Smith of the county of Luzerne, Alvah W. Norton of the county of Wayne, and Moses W. Coolbaugh of the county of Monroe, be and they are hereby made commissioners, to re-survey and establish the line between the counties of Luzerne, Monroe and Wayne, according to the survey made in pursuance of the act to which this is a supplement, so far as the same may be ascertained, and mark the said survey distinctly on the ground. If, however, it shall appear to the said commissioners that the said boundary line has not been run or any portion of it, then they shall survey and locate the same according to the act above recited.

Commissioners to ascertain boundary lines between Luzerne, Monroe and Wayne counties

SECTION 2. The said commissioners shall receive as a compensation for their services, the sum of three dollars per day while actually engaged in the discharge of their duties; and they shall employ a competent surveyor, who shall receive the same sum, and the expenses thereof shall be borne equally by the counties of Luzerne, Monroe and Wayne, as also any incidental expenses that may be necessary in the performance of the respective duties required by this act.

Compensation

SECTION 3. The said commissioners shall make out a draft of the said survey, certified under their hands, with the courses and distances plainly laid down, a copy of which shall be filed in the commissioners' office of each of the counties bordering on the said line, and the original filed in the office of the secretary of state, in a convenient time after the survey shall be made; and if either of the said commissioners shall be unable to attend to their duty, the Governor is authorized to appoint another.

Draft

SECTION 4. That the president, managers and company of the Belmont and Easton turnpike road company, be and they are hereby authorized to make or cause to be made, such alteration in the route of the said road as they shall deem expedient, subject to the same privileges and restrictions as are prescribed by their original act of incorporation.

Belmont and Easton turnpike company alter route

SECTION 5. That Abraham S. M'Kinney of Cumberland county, John Johnston of Perry county, and Andrew Wilson of Franklin county, be and they are hereby appointed commissioners, for the purpose of running and marking the line between Franklin and Perry counties; beginning at the corner of Cumberland and Franklin counties, on the top of the Blue mountain; thence by a line in the direction of Concord, to the summit of the next mountain; thence along the summit of said mountain as far as practicable, so as to leave the entire valley of Amberson, in the county of Franklin, and to divide the mountain territory as equally as possible between the two counties; thence along the summit of the round top, to the most practicable point on the Conecocheague mountain, leaving the entire valley called Sherman's valley, in the county of Perry; and thence to the corner between Franklin, Perry and Juniata counties; and the said commissioners are required in all cases (in running said division line) to keep as near as possible to the summit of said mountains.

Drafts

SECTION 6. The said commissioners shall, within one year after the passage of this act, survey and mark the line aforesaid, agreeably to the provisions of the first section of this act, and to make three drafts of the same, inserting the courses and distances on the drafts in words at full length, one of which they shall deposit in the prothonotary's office of Franklin county, and one in the prothonotary's office of Perry county, which shall thereafter be considered a public record, and the line so run and marked shall be the established boundary between the counties aforesaid; and the third draft they shall transmit to the surveyor general for the use of his office; and the said commissioners shall receive each two dollars per day, for the time they may be necessarily employed in performing the duties enjoined in this act, and shall be allowed a reasonable compensation for a surveyor, chain carriers and axe-men, which they may employ in executing the same; and the expenses incurred in running and marking the said line, shall be paid by the county commissioners of the counties aforesaid, each an equal half part thereof.

Compensati'n

Vacancy

Proviso

SECTION 7. The commissioners appointed by the fifth section of this act, or any two of them, shall have power in case any one of them cannot attend to the duties enjoined upon them by this act, to appoint another to fill the vacancy: *Provided however,* That he shall be selected from the county in which the vacancy may occur.

County commissioners—
unseatedlands

SECTION 8. That it shall be the duty of the county commissioners of the two counties respectively, to furnish each other with the warrantee names of all the tracts of unseated lands that may be taken from the one county and fall into the other, in the final determination of the said line: *Provided however,* That each county shall be privileged to collect all arrearages

of taxes on land affected by the line aforesaid, having been levied prior to the establishment of the same.

SECTION 9. It shall be lawful, after the passage of this act, for the supervisors of the public highways in and for the county of Chester, when the contractor or contractors shall refuse or neglect to keep in order their sections of the public roads, to have the same put in good repair, and the cost of said repairs shall be recoverable by said supervisors of said contractor or contractors as other debts of equal amount are by law recoverable, with costs of suit; and the authority of said supervisors shall extend in all cases to the day on which their successors shall sell at public auction the repairing of the several sections of roads in the townships of said county, and all the provisions of the twentieth and twenty-second sections of the act entitled an act granting certain powers to the authorities of the city of Lancaster and Philadelphia, and for other purposes, approved the sixteenth day of April, one thousand eight hundred and thirty-eight, so far as the same applies to the county of Chester, and all other acts and laws inconsistent herewith, be and the same are hereby repealed.

SECTION 10. That it shall not be lawful for the town council of the borough of Lewistown, in the county of Mifflin, to assess, levy or collect any tax or taxes, in any one year exceeding double the amount of the county tax for that year assessed, unless some object of general utility shall be thought necessary, in which case a majority of the taxable inhabitants of said borough shall approve of and certify the object and amount of such tax, in writing, under their hands, to the town council, who shall then proceed to assess the same accordingly; and any thing in any law heretofore made, which is inconsistent with, or which is altered or supplied by this act, is hereby repealed. *Provided*, The provisions of this act shall not effect the collection of any taxes that are or have been levied and assessed in said borough, according to existing laws.

SECTION 11. That the stockholders of the Millerstown and Lewistown turnpike road company are hereby authorized to hold an election at the house of W. W. Wilson, in Mifflintown, on the first Monday of May next, for three managers, to conduct the affairs of said company until the next annual election, and E. L. Benedict is hereby authorized to give ten days public notice of said election, by publication in one newspaper in Juniata county, and the said election to be held and

conducted in the manner now provided for by law for holding elections for managers of said company.

WM. A. CRABB,
Speaker of the House of Representatives.
JN. H. EWING,
Speaker of the Senate.

APPROVED—This twenty-eighth day of April, one thousand eight hundred and forty-one.

DAVID R. PORTER.

[No. 112.]

AN ACT

To annul the Marriage Contract of Zera Anson Brown and Julia his wife 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 the marriage contract entered into by Zera Anson Brown, in the county of Broome, and state of New York, and Julia his wife, be and the same is hereby annulled and made void, and the parties released and discharged from the said contract as fully and effectually and absolutely as if they had never been joined in marriage.

Contract an-
nulled

SECTION 2. The directors of the Delaware coal company, are hereby authorized to increase the capital stock of said company, to any sum not exceeding five hundred thousand dollars, the additional stock, to be divided into share of the like amount of the shares already created.

Delaware coal
company—to
increase capi-
tal stock

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 Zera Anson Brown and Julia his wife and for other purposes” was presented to the Governor on the sixteenth day of April, eighteen 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 con-