

in like manner, and for like purposes, and with the same discretionary power, as to the support and maintenance of said Mary Shenley, and of ultimate settlement upon the heirs of her body, as is prescribed by said will, in reference to the testators daughter Mary.

JAMES ROSS SNOWDEN,

Speaker of the House of Representatives.

JOHN STROHM,

Speaker of the Senate.

APPROVED—The sixteenth day of March, one thousand eight hundred and forty-two.

DAVID R. PORTER.

[No. 49.]

SUPPLEMENT

To the act entitled "An act to incorporate the township of Moyamensing, in Philadelphia county," passed March twenty-fourth, one thousand eight hundred and twelve, 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 board of commissioners of the township of Moyamensing, in the county of Philadelphia, shall have full power and authority to levy and collect, in each and every year hereafter, as they may consider the improvements shall warrant, and the interests of the township shall require, a yearly tax on all property, real and personal, within said township, and on all trades, professions and offices carried on or enjoyed by persons resident therein, in the manner now prescribed by law, in the northern part of said township, lying between the south side of Cedar and Federal streets, and the eastern and western boundaries thereof, for the purpose of defraying the expense of sinking and repairing public pumps, of defraying the expense of lighting and watching, and of laying the conduit pipes for the introduction of the Schuylkill water into said township: *Provided*, that the property, real and personal, and the trades and professions carried on by persons residents south of the south side of Buck lane, shall not be chargeable with said increased tax, for and during the ensuing ten years.

SECTION 2. That that portion of said township lying south

of the south side of Federal street, shall hereafter be subject to the same laws and ordinances, rules and regulations, as are now, or may hereafter be in force in that portion of the township lying between the south side of Cedar and Federal streets, and the eastern and western boundaries of said township.

SECTION 3. That so much of any law or laws, as prohibit the commissioners aforesaid from levying and collecting taxes for certain purposes, not exceeding a fixed amount, be and the same are hereby repealed, and the commissioners aforesaid are hereby fully authorized to levy and collect such an amount, and at such a rate for public purposes as they may think necessary.

SECTION 4. That hereafter whenever the commissioners aforesaid shall deem it necessary to have the footways or gutters of any street or alley in said township paved, notice thereof shall be given to the owners of the property fronting on such street or alley, and when such owners cannot be readily found, one week's notice shall be given by advertisement, in at least one daily newspaper published in the city of Philadelphia. (which shall be considered sufficient notice,) and if the said owners or any of them, shall not within thirty days thereafter pave, or cause to be paved the footways and gutters in front of his, her or their property, it shall and may be lawful for the commissioners aforesaid, to pave or cause to be paved the footways and gutters aforesaid, and the owner or owners so neglecting or refusing, shall be liable therefor in their proper proportions, together with legal interest thereon, and five per centum for the costs of collection thereof, which shall be a lien against such property, and be collected in the manner now prescribed by law, in relation to materials furnished or work done by the said township.

SECTION 5. That hereafter the said commissioners shall have full power and authority to charge a commission of five per cent. on all debts due the township for materials furnished, or work done, when the said debts due are not paid within thirty days after they have accrued the said commissions, to be a lien, and to be collected in the manner now prescribed by law, in relation to materials furnished, or work done by the said township.

SECTION 6. That the commissioners aforesaid shall have full power and authority to pass such ordinances as they may think necessary for the purpose of preventing the hawking of butchers' meat and other marketing, except milk, butter, eggs and vegetables, through the streets and alleys of said township.

SECTION 7. That (in addition to the remedies now prescribed by the laws and ordinances of said township, relating to hawkers and pedlars,) if any person or persons shall violate,

or be found violating in said township, the laws and ordinances aforesaid, he, she or they may be forthwith arrested and proceeded against as for a misdemeanor, and upon conviction thereof, be fined in any sum not exceeding fifty dollars for every such offence, at the discretion of the court having jurisdiction thereof, one half of said fine to go to the support of the poor of said township, and the other half to the person or persons arresting or making complaint.

SECTION 8. That (in addition to the remedies prescribed by the laws and ordinances of said township, relating to the preventing and removing nuisances therein,) any person or persons depositing any carrion, filth, dirt or rubbish in any of the streets or alleys of said township, without the permission of commissioners aforesaid, or other competent authority, may be forthwith arrested and proceeded against in the manner mentioned in the preceding section, relating to hawkers and pedlars. Nuisances

SECTION 9. After any lot or building within the said township has been regulated, and the marks thereof given, or stakes planted by the officer appointed by the commissioners aforesaid for that purpose, if any person or persons shall wilfully or maliciously obliterate or alter said marks, or take up or remove said stakes, thereby altering said regulation, such person or persons shall be proceeded against, and punished in the manner mentioned in the preceding section, relating to hawkers and pedlars. Seat or building marks

SECTION 10. That the "board of health" of the city and county of Philadelphia, shall, within six months after the passage of this act, remove, or cause to be removed, the poudrette pit situate at the intersection of Fifth street and Moyamensing road, in said township, and they shall not, after the passage of this act, permit any privy filth to be deposited therein, without first obtaining the permission of the commissioners aforesaid. Poudrette pit to be removed

SECTION 11. That hereafter it shall not be lawful for the "board of health" aforesaid, to locate or cause to be located, any poudrette pit or pits, (or any other place for the deposit of privy filth) within said township, north of the north side of Buck lane, without first obtaining the consent of the commissioners aforesaid. Poudrette pit prohibited

SECTION 12. That so much of the provisions of the third section of the act passed upon the twenty-second day of March, A. D. one thousand eight hundred and forty-one, entitled "An act for the more convenient collection of the tax on collateral inheritances," which directs that whenever any real estate shall be subject to said tax, it shall be the duty of said register forthwith to give information thereof in writing, to the commissioners of the county, where such real estate is situate, and like proceedings shall be had thereon, in all Collateral inheritance tax
Duty of registers

respects as are now by law required, when such information is lodged with them by executors or administrators, shall be construed so as to authorize and require the said register to collect the said tax upon all the said real estate.

Preamble

WHEREAS, In pursuance of a resolution passed by the legislature of Pennsylvania the twenty-first day of April, one thousand eight hundred and forty, Andrew Brunner was directed by the orphans' court of Bucks county, to execute a certain mortgage for the use of his children therein named, upon his real estate, and the said Andrew Brunner having sold the same and purchased other real estate :

Therefore,

Mortgage transferred

Proviso

SECTION 13. *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 orphans' court is hereby authorized and empowered to direct a new mortgage to be given on the property so purchased by him, for the same uses, and in a like sum: *Provided,* The said court shall be satisfied of the title, and sufficiency of the property over and above all liens, to secure the payment of the same, upon which the new mortgage shall be first duly executed, after which the recorder of deeds of said county, shall enter upon the margin of the record of the first named mortgage a memorandum of the decree of the court, and of the said change of security, which shall be deemed a satisfaction of the said mortgage.

Sale of lots in Berwick Columbia co authorized by guardian of Louisa Pretz of Lehigh co

Bond &c

SECTION 14. That William Eckert, guardian of the person and estate of Maria Louisa Pretz, a minor daughter of Godfrey Pretz, late of the borough of Allentown, Lehigh county, deceased, be and he is hereby authorized and empowered to convey to Frederick Nicely, all the right, title and interest of the said minor, of, and in certain lots of land situate in the town of Berwick, in the county of Columbia; one or more situate on the north side of the North Branch canal, adjoining lots of Samuel F. Headley on the west, and Nancy Sloan on the east, the other situate on the eastern side of said town, and numbered twenty-three on the general plan of said town, adjoining lands of Samuel F. Headley, containing two acres more or less, and also to convey to John Snyder, all the right, title and interest of the said minor, of, and in a certain lot of land, situate in the town and county aforesaid, numbered in the general plan of said town twenty-three, of the inlots measuring forty-nine and a half feet on front street, and one hundred and eighty-one and a half feet in depth, adjoining a lot of the said John Snyder, in fee simple by deeds, and with the same effect as if the said Maria Louisa Pretz were of full age, and had conveyed the same: *Provided,* That before the said William Eckert, guardian of said Maria Louisa Pretz, shall convey as aforesaid, to

the said Frederick Nicely, and the said John Snyder, he, the said William Eckert shall give bond in such sum, and with such sureties as the orphans' court of the county of Lehigh shall direct, conditioned for the faithful discharge of his duty as guardian as aforesaid, and the proper application of the purchase money coming to his said ward, which proceedings shall be approved by the said court.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

JOHN STROHM,
Speaker of the Senate.

APPROVED—The seventeenth day of March, one thousand eight hundred and forty-two.

DAVID R. PORTER.

[No. 50.]

A N A C T

To change the venue in a certain action now pending in the court of Common Pleas, of Clarion county, 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 an action now pending in the court of common pleas, of Clarion county, wherein Jonathan Framp-ton and James M. Craig are plaintiffs, and the commissioners of Clarion county, are defendants, be and the same is hereby removed and transferred to the court of common pleas, of Arm-
strong county, and shall be thereupon proceeded in, as if it had been originally instituted in the said court, and the final judgment of the said court of common pleas, of Armstrong county, in said suit, shall be certified and filed in the office of the prothonotary of the court of common pleas, of Clarion county, and shall there be proceeded on, and considered to all intents as if it were a judgment of said court: *Provided,* That the expense of said transfer, shall be borne and paid by the said plaintiffs, and all the expenses of the daily pay of jurors, who may be empanelled to try said case, shall be refunded to Armstrong county, by the commissioners of Clarion county: *And provided also,* That the said final judgment, shall be subject to a writ of error to the supreme court as in other

Action removed

Provido