

or removes from said road or the bounds thereof any mould, dirt, gravel, sand, stones or any other material, without first having obtained the consent of the managers to remove the same therefrom, shall, upon being convicted thereof by one or more credible witnesses before a justice of the peace, be adjudged to pay a fine not exceeding five dollars, together with the damage and injury caused by the act complained of, together with the costs of suit, all to be recovered as debts of a like amount are by law recoverable; and the said fine and damage to be paid to the treasurer of said turnpike road company.

SECTION 2. That the act, entitled "An Act to authorize the appropriation of certain road taxes in Schuylkill county, to the opening of a road in Pinegrove township, in said county," approved the sixteenth day of April, one thousand eight hundred and forty-five, be and the same is hereby extended for the term of four years.

SECTION 3. That the word "not," preceding the words, "to pass and repass," et cetera, in the tenth section of an act passed the eleventh day of April, one thousand eight hundred and forty-eight, entitled "An Act authorizing the recording of certain powers of attorney, executed by Joseph Harrison, junior, and his wife, and to incorporate the Loyalsock boom company," be and the same is hereby repealed.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

GEORGE DARSIE,
Speaker of the Senate.

APPROVED—The ninth day of April, one thousand eight hundred and forty-nine.

WM. F. JOHNSTON.

No. 358.

A SUPPLEMENT

To an act, entitled "An Act authorizing the laying out of a state road from the mouth of Larris creek, in Lycoming county, by the way of Wellsboro', Tioga county, to the New York state line, at or near Lawrenceville, in said county;" and to incorporate the Easton cemetery, of Northampton county.

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, it shall be the duty of the treasurer of Lycoming county to keep a separate account of all moneys assessed and collected for road purposes, on the unseated lands formerly belonging to the Tilghman estate, but now held in the name of William Rawle, Benjamin Chew and George Cadwalader, lying in the townships of Lewis, Mifflin, Cummings and Cogan House, in said county; and the said treasurer shall annually, or as he shall receive the same, for the term of ten years, pay over to the commissioners hereinafter

Treasurer of Lycoming county to keep separate accounts of moneys assessed and collected for road purposes, on certain estate.

named, or their successors, all sums of money so collected, whose duty it shall be to expend said money in opening that portion of the state road leading from the mouth of Larris creek, in Lycoming county, by the way of Wellsboro', Tioga county, to the New York state line, at or near Lawrenceville, so far as it shall pass through the said lands of the said Rawle, Chew and Cadwalader.

Commissioners to receive and disburse said moneys.

SECTION 2. That A. H. M'Henry and Robert Fareis, of Lycoming county, and William Bache, of Tioga county, be and they are hereby appointed commissioners to receive and disburse said moneys; and in case any of the said commissioners shall resign or refuse to act, the court of quarter sessions of the county in which they reside, shall have full power to fill any vacancy that may occur.

Commissioners, duty of.

SECTION 3. It shall be the duty of said commissioners, or a majority of them, to meet at the house of E. H. Russel, in the said county of Lycoming, on the fifteenth day of June next, or earlier if practicable, and having been sworn or affirmed according to law, to faithfully and honestly discharge the duties enjoined upon them by this act, proceed to review, alter and change the original location of said road at such points as they may deem expedient and necessary, between the mouth of Larris creek and the mouth of Bear creek, where it empties into the first fork of Pine creek, having due regard to the nature of the ground, the damages to private property, and to all other circumstances effecting the route, so that the route finally adopted may best promote the public good.

Review, alter and change location of road.

Make out drafts of road, &c.

SECTION 4. The said commissioners shall, on or before the first day of January next, make out three drafts of said road as located, whereon shall be noted the courses and distances, the crossing of county and township lines, and the crossing of streams; one of which shall be forwarded by mail to the secretary of the commonwealth, to be filed in his office as a matter of record, and one to be filed in the court of quarter sessions in the respective counties through which the road may pass; and from the time of such filing as last stated, the said road shall be to all intents and purposes a public highway.

Pay of commissioners.

SECTION 5. The commissioners herein named shall receive a per diem allowance of two dollars for each and every day they shall be necessarily employed in performing the duties enjoined by this act, and they are authorized to employ two chainmen, and as many axemen as may be found necessary; the per diem allowance for said chainmen and axemen, to be one dollar for each and every day they shall be employed; and the accounts of said commissioners for their own pay, and the pay of those directed to be employed by them in pursuance of this act, shall be adjusted by the county commissioners of the counties through which the road may pass, and paid out of the treasuries of said counties, according to the time actually employed to re-locate the said road within the said counties.

Corporators.

SECTION 6. That Traill Green, John J. Burke, Samuel Ludwig, Samuel Drinkhouse, John Green, Jr., Philip Minsell, Edward F. Stewart, George Field, Thomas F. Miller, Theodore Minsell, Jacob Weygant, Samuel Moore, Peter S. Michler, George W. Housel, and their associates, be and they are hereby created and erected into a body politic and corporate in law, by the name, style and title of "The Easton cemetery," and by that name shall have perpetual succession, and all the other incidents to a corporation, with power to hold any quantity of real estate not exceeding fifty acres, within the county of Northampton, for cemetery purposes, and to make, ordain, pass and put in execution, all such by-laws, rules and regulations as shall be necessary for conducting the business of the said corporation, not con-

Style.
Privileges.

trary to the constitution and laws of the United States, and of this commonwealth, or to this act, and generally to do all acts necessary for the improvement and ornament of the grounds, the disposal of burial plots, and the due management and regulation of the affairs thereof.

SECTION 7. The business of the said corporation shall be conducted by nine directors, who shall choose a president out of their own number, and such other officers as they shall deem necessary; the corporators above named shall give ten days' notice of the first election, and the directors shall by the by-laws to be by them adopted, regulate the time and manner of all future elections; the first elected directors shall be divided by lot into three classes, one-third of whom shall serve for one year, one-third for two years, and one-third for three years, so that thereafter three shall be chosen each year, to serve for three years.

Officers.

First elected directors to divide themselves into three classes.

SECTION 8. That the burial plots which shall be sold by the said corporation to any individual, shall be exempt from levy or sale by execution, and shall forever remain devoted to purposes of burial; and if any person shall trespass upon the grounds of the said cemetery, or injure or deface the fences, shrubbery, trees, walks, burial lots, tombs, railings, fixtures, personal or other property attached to or belonging to said cemetery, or the individual members thereof, or shall commit any nuisance in or about the same, every such person shall make good the damages, and pay a fine not less than five dollars to the said corporation, to be enforced and collected in the manner provided by the act of twenty-second April, seventeen hundred and ninety-four, for the prevention of vice and immorality.

Burial plots to be exempt from levy or sale by execution.

Penalty for trespasses, &c.

WILLIAM F. PACKER,

Speaker of the House of Representatives.

GEORGE DARSIE,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini, one thousand eight hundred and forty-nine.

WM. F. JOHNSTON.

No. 359.

AN ACT

To extend the boundary line of the borough of Newton Hamilton, in the county of Mifflin; and relative to the supervisors of Fairfield and Summerhill townships, in the county of Crawford; and the Mount Joy Fencibles and Jackson Infantry, in the county of Lancaster; to incorporate the Mercantile mutual insurance company of Philadelphia; relative to the claim of Gillespie and Wenger; certain election district in Cambria county; relative to fees of mercantile appraiser taxes; authorizing the purchase of Penn's Treaty grounds; and relative to the Equitable life insurance company.

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*