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Purdon's Digest.

A DIGEST

OF THE

LAWS OF PENNSYLVANIA,

FROM THE YEAR

ONE THOUSAND SEVEN HUNDRED,

TO THE

TWENTY-SECOND DAY OF APRIL, ONE THOUSAND EIGHT HUNDRED AND FORTY-SIX.

Seventh Edition.

THE FIRST FOUR EDITIONS BY THE LATE

JOHN PURDON, ESQ.

THE LAST THREE BY

GEORGE M. STROUD.

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BROUGHT DOWN TO THE

TWENTY-EIGHTH DAY OF APRIL, ONE THOUSAND EIGHT HUNDRED AND FIFTY-ONE,

WITH A

NEW AND COMPLETE INDEX TO THE ENTIRE WORK,

BY

FREDERICK C. BRIGHTLY.

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(Act of 15th May, 1850.)

merchandise brokers, and real estate brokers, in each and every city and county of this commonwealth, shall be required to pay annually to the use of the commonwealth, for their respective commissions or licenses granted in pursuance of the several acts of assembly now in force relating to the same, upon their annual receipts from commissions, discounts, abatements, allowances or other similar means in the transaction of their business, three per cent. [*See ante, p.* 152.]

3. Sect. VIII. The appraisers of mercantile taxes appointed under the fifth section of the act of the 16th day of April, 1845, entitled "An act to increase the revenues and diminish the legislative expenses of the commonwealth," be and they are hereby authorized and required to ascertain and assess the several brokers aforesaid, according to the amount of business done by them respectively in the same manner as is required of them with regard to venders of merchandise; and the said several brokers shall be entitled to the same proceedings, on an allegation that they are not properly taxed, as are now provided by the seventh section of the said last recited act in the cases of venders of merchandise. [*Ante, p.* 1155.]

4. Sect. IX. Nothing in this act shall be held or taken to repeal any obligation, liability, penalty or duty imposed upon any broker by any existing law of this commonwealth, except only so far as the amount of the tax for a commission or license: *Provided*, That in classing said brokers, when any individual or copartnership desires to obtain a commission or license to carry on business at the same time in more than one of the kind of brokers named in the first part of the sixth [seventh] section of this act, the amount of the annual receipts of said individual or copartnership, in each particular order, shall be estimated for the purpose of fixing the class as aforesaid, and separate commissions and licenses shall be issued for each kind of brokers as now provided by law.

Burial Grounds.

Streets not to be opened through cemeteries,	1	Or removing bodies therefrom,	2
Penalty for injuring burial grounds,	2	Form of prosecution,	2

ACT of 5th April, 1849. Pamph. p. 397.

An act to prevent the opening of streets or public roads through burial grounds, and for the protection of cemeteries and grave yards.

1. Sect. I. Hereafter it shall not be lawful to open any street, lane, alley or public road through any burial ground or cemetery within this commonwealth, any laws heretofore passed to the contrary notwithstanding: *Provided*, That this section shall not extend to the city and county of Philadelphia.

2. Sect. II. Any person who shall wilfully destroy, mutilate, deface, injure or remove any tomb, monument, grave stone or other structure, placed in any cemetery or grave yard appropriated to, and used for the interment of human beings, within this state, or shall wilfully injure, destroy or remove any fence, railing or other work for the protection or ornament of such places of interment, or shall wilfully destroy, cut, break or remove any tree, shrub or plant within the limits of said places of interment, or shall within the same, shoot or discharge any gun or other fire arms, or shall open any tomb or grave within the same, and clandestinely remove or attempt to remove any body or remains therefrom, shall be guilty of a misdemeanor, and shall, upon conviction thereof, before any justice of the peace of the county where the said offence is committed, be punished by a fine, at the discretion of the justice, according to the aggravation of the offence, of not less than one or more than fifty dollars, for the use of the said county, and to be enforced and collected in the same manner as forfeitures under the act of assembly of 22d day of April, 1794, for the prevention of vice and immorality, or shall on conviction thereof in the court of

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(Act of 5th April, 1849.)

quarter sessions of said county, be punished by a fine as aforesaid, and by imprisonment, according to the aggravation of the offence, at the discretion of the court, for a term not exceeding one year. [*See ante, p.* 690.]

Canals and Rail-Roads.

[*See Arbitration*, 1.]

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ACT of 13th March, 1847. Pamph. p. 337.

An act in reference to running of locomotive engines and cars on connecting rail-roads.

1. Sect. I. In all cases where two rail-roads in this commonwealth are or shall be connected, it shall be lawful for the company owning either of the said rail-roads, (with the consent of the company owning the other of said rail-roads,) to run its cars and locomotive engines upon the said other rail-road, and to erect water stations and other buildings, for the due accommodation of the cars and engines employed thereon: *Provided*, That nothing herein contained shall be construed or interpreted to release or exonerate any company owning a rail-road, from the obligation and duty which may be now imposed by existing laws, of transporting, subject to the rules and regulations of said companies, by locomotive steam engines, the cars, whether loaded or empty, of all persons and companies, who may require such transportation over and along so much and such parts of their rail-road as locomotive steam engines shall be run upon, whether they be run by the company owning the road, or by any other company.

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