

Oath, &c, to be taken. an oath or affirmation, before some justice of the peace, faithfully and impartially to perform the duties required of them by this act. And they shall each receive three dollars per day for every day necessarily employed in the service required by this act, together with reasonable allowance for expenses in employing markers and chain carriers; and to be paid on orders drawn by the commissioners of the counties through which the road may pass, on the treasurers thereof respectively, according to the distance through the respective counties. And in case either of the said commissioners shall die, neglect, or refuse to perform the duties hereby required, the Governor is hereby authorised to supply the vacancy by a new appointment.

Compensation.

Governor to supply vacancy.

REES HILL, *Speaker of the House of Representatives.*

ISAAC WEAVER, *Speaker of the Senate.*

APPROVED—the fifth day of March, one thousand eight hundred and nineteen.

WILLIAM FINDLAY.

CHAPTER LXIX.

*AN ACT*

Relative to the claim of the commonwealth against Peter Baynton, and against the estate of John Nicholson, deceased.

SECT. 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 Attorney General, with the advice and consent of the officers of the accountant department, be authorised and required to prosecute the claim of the commonwealth against Peter Baynton, formerly State Treasurer, in such manner as may be deemed best calculated to recover the amount due. That he be further authorised as aforesaid, upon the payment or securing the payment of the debt and interest due the commonwealth, to release the lien of the commonwealth upon the lands of the said Peter Baynton, either to himself or his creditors, as the case may require; or if it shall be necessary to have the lands sold for the pay-*

Attorney General to prosecute the claim against Peter Baynton.

When he may release the lien.

ment of said sum, that the Attorney General be authorised to give time for the payment of the whole, or such parts of the purchase money as may be thought expedient.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the Attorney General be authorised and required, to ascertain the condition of the lands of John Nicholson, deceased, as far as is practicable, to cause to be paid any taxes on the same which may remain in arrears, and if sold for taxes to redeem the same, in such cases as may be practicable, and where he and the officers of the accountant department may deem it expedient, and that he make a particular report of the proceedings under this act, to the next session of the legislature.

Attorney General to ascertain the condition of Nicholson's lands, pay taxes and redeem the same.

SECT. 3. *And be it further enacted by the authority aforesaid,* That the Auditor General, Secretary of the Land Office and Attorney General, be, and they hereby are invested with full power and authority, to adjust, prosecute and recover, or compromise the claims of the commonwealth, against the estate of the late John Nicholson, formerly Comptroller General, and one or more suitable agent or agents for that purpose to appoint: *Provided,* Any compensation to be allowed to such agent, and all other expenses under this section of the act, shall wholly depend on and be paid out of the proceeds to be recovered; and that no compromise or allowance of any kind, shall be made exceeding in the whole one-fourth part of the property that may be recovered or the proceeds thereof.

Powers of officers to adjust the claims of the commonwealth. Proviso.

SECT. 4. *And be it further enacted by the authority aforesaid,* That the sum of five hundred dollars be appropriated to carry into effect the provisions of the first and second sections of this act, to be paid on a warrant or warrants, drawn by the Auditor General on the State Treasurer: *Provided,* That a bill of the particulars to which the money is to be applied, be first examined and approved by the officers of the accountant department.

Five hundred dollars appropriated. Proviso.

REES HILL, *Speaker of the House of Representatives.*

ISAAC WEAVER, *Speaker of the Senate.*

APPROVED—the sixteenth day of March, one thousand eight hundred and nineteen.

WILLIAM FENDLAY.