

CHAPTER CXXX.

AN ACT

Authorising the Governor to procure on loan a sum not exceeding one hundred and fifty thousand dollars.

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 Governor be, and he is hereby authorised and required to negociate a loan or loans in behalf of this commonwealth for a sum or sums of money not exceeding one hundred and fifty thousand dollars, as he may find the same necessary, at an interest not exceeding six per cent. per annum, and the funds of this commonwealth are hereby pledged for the reimbursement of said loan with interest within any term not exceeding ten years, and in such instalments as may be agreed on by the contracting parties; and the Secretary of the Commonwealth is hereby directed to lay the proceedings of the Governor in the premises before the next legislature, within two weeks after the commencement of their next session. Loan of
\$ 150,000.

JOSEPH LAWRENCE, *Speaker*
of the House of Representatives.

WILLIAM MARKS, Junior,
Speaker of the Senate.

APPROVED—the twenty-eighth day of March, one thousand eight hundred and twenty.

WILLIAM FINDLAY.

CHAPTER CXXXI.

AN ACT

Authorising the laying out and reviewing certain state roads therein mentioned.

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 Alexander McCalmont of the county of Venango,

Commissioners to view certain state roads. and James Stewart and Hugh Wilson of the county of Warren, be, and they are hereby appointed commissioners to do and perform the duties hereafter enjoined on them, and previous to entering on the duties assigned them, they shall severally take an oath or affirmation before some judge or justice of the peace that they will do the duty imposed on them by this act with fidelity.

State road in Warren county. **SECT. 2.** *And be it further enacted by the authority aforesaid,* That the said commissioners shall between the first days of April and November next, proceed and lay out a road fifty feet in width, beginning at the town of Warren, in the county of Warren, and running to the town of Franklin, and shall distinctly mark a line to designate the middle of the road, and shall at the end of each mile mark on a tree or post on the right hand side of the road, by plain and distinguishable letters and figures the number of miles that the distance may be known from one point to the other.

Commissioners. **SECT. 3.** *And be it further enacted by the authority aforesaid,* That Benjamin Stokeley and William Carroll of Mercer county, and James Martin (son of John) of the county of Venango, be, and they are hereby appointed commissioners to lay out a state road as hereinafter mentioned, and before they enter upon the duties enjoined on them by the provisions of this act, they shall severally take and subscribe an oath or affirmation before some judge or justice of the peace that they will do the duty imposed on them by this act with fidelity.

Road in Venango and Mercer counties. **SECT. 4.** *And be it further enacted by the authority aforesaid,* That the said commissioners shall between the first days of April and November next, proceed and lay out a road fifty feet in width from the town of Franklin in Venango county, to Mercer in Mercer county, and shall distinctly mark a line to designate the middle of the road, and shall at the end of each mile mark on a tree or posts on the right hand side of the road by plain and distinguishable letters and figures the number of miles, that the distance may be known from one point to the other.

Distance to be ascertained. **SECT. 5.** *And be it further enacted by the authority aforesaid,* That the commissioners shall ascertain the distance the said roads run through the counties of Venango, Mercer and Warren respectively, and note the same on the drafts of the road, of which they shall each make three, and mark the courses and distances of the roads on them, all of which they shall certify and send one to the Secretary of the Commonwealth, one to the court of quarter sessions of each of the counties aforesaid respectively.

Expense how paid. **SECT. 6.** *And be it further enacted by the authority aforesaid,* That the said commissioners shall apportion the expense of laying out said roads between the counties of Venango, Mercer and Warren, and of surveying the same according to the distance they run in each county, and certify the same, with the drafts delivered to the said courts of quar-

ter sessions, which expenses shall be paid according to the apportionment out of the treasury of the counties of Venango, Mercer and Warren.

SECT. 7. *And be it further enacted by the authority aforesaid.* That the sum of two dollars per day be allowed to each of the said commissioners for the time necessarily expended in viewing, surveying and laying out said roads, which shall be in full for their services, and a reasonable compensation shall be allowed to chain carriers and axe men: *Provided,* The same do not exceed one dollar and twenty-five cents per day for each man employed. Commissioners compensation.
 Proviso

SECT. 8. *And be it further enacted by the authority aforesaid,* That in case of death, resignation, inability or refusal to serve of all or either of the said commissioners, it shall be the duty of the court of quarter sessions of the counties of Venango, Warren and Mercer to supply such vacancy, by a person or persons selected from the counties of Venango, Warren or Mercer. Vacancy how filled.

SECT. 9. *And be it further enacted by the authority aforesaid,* That the Governor be, and he is hereby authorised to appoint three commissioners, one of them shall be a practical surveyor, to view, mark and lay out a state road beginning at the city of Lancaster, thence to the town of Manheim, in the county of Lancaster, thence by the nearest and best route to the borough of Lebanon, thence by the nearest and best route to Jonestown, in the county of Lebanon, thence by the nearest and best route to the borough of Sunbury, in the county of Northumberland; and the commissioners or a majority of them shall proceed to perform the duties required of them by this act at such time as the Governor shall direct. and shall cause a draft of said road to be deposited in the office of the Secretary of this Commonwealth, and shall also deposit a copy of said draft in the office of the clerk of the courts of quarter sessions of the respective counties through which said road may pass, which shall be a record thereof, and from thenceforth the said road shall be to all intents and purposes a public highway, and shall be opened and repaired in all respects as other roads are opened and repaired, which are laid out by order of the courts of quarter sessions of the counties aforesaid: *Provided,* That the several courts of quarter sessions in the respective counties through which the said road passes, shall have authority upon application by petition to them made, (if such application shall be made within one year after the road aforesaid shall have been laid out as is herein directed,) to enquire of, and vacate all or any part of the said road which they shall judge to be useless, inconvenient and burdensome; and the said courts shall proceed therein by views thereof in like manner as they are authorised to do, and as is usually practised in laying out public roads and highways, and the judgment of the court of quarter sessions shall be effectual and conclusive in the premises, Road from Lancaster to Sunbury.
 Record.
 Proviso.
 Power to vacate.

Appeal, if the same be not appealed from within six months from and after giving of such judgment, in which case the judges of the respective courts of quarter sessions are hereby authorised and directed to grant a review in like manner as they are authorised to do in other cases.

Oath. *SECR. 10. And be it further enacted by the authority aforesaid,* That each of the said commissioners before he enters on the duties of said appointment, shall take and subscribe before a justice of the peace an oath or affirmation, faithfully and impartially to perform the duties required of him by this act, and shall receive two dollars for each day he or they shall be necessarily employed in said work, together with a reasonable allowance for chain carriers and markers, and the accounts of said commissioners shall be adjusted and settled by the respective commissioners of the counties through which the said road shall pass, and paid by warrants drawn on the treasurers by the commissioners of the respective counties through which said road shall pass, according to the distance it passes through each county.

Expenses how paid.

Road in Bradford.

SECR. 11. And be it further enacted by the authority aforesaid, That Arnold Hunter, Timothy S. Coats and Charles Blanchard, be, and they are hereby appointed commissioners to view and lay out a state road of the width of fifty feet, beginning at the point where the road leading from Newtown in the state of New York crosses the state line on Seeley's creek in Bradford county, thence in a western direction to Lawrenceville, thence up the Cowanesque river through the counties of Tioga and Potter, to intersect at the state line the road leading from Olian point to King's settlement in the county of McKean; and the said commissioners shall proceed to perform the said service at such time or times as they may agree upon, and deposit a draft of said road in the office of the clerk of the court of quarter sessions in each county through which said road shall pass, which shall be a record of said road, and from thenceforth shall be to all intents and purposes a public highway, and shall be opened and kept in repair as other roads laid out by order of the courts of quarter sessions are in said counties; and the said commissioners shall each receive two dollars per day for each and every day they shall be necessarily employed in the service aforesaid, with a reasonable compensation for the hands necessarily employed in marking and chaining said road; the whole amount of said expense shall be paid out of the treasuries of the several counties through which the same shall pass, in proportion to the distance that said road shall pass through the same respectively, on warrants drawn by the commissioners of said counties on the treasurers thereof; and said commissioners before they enter upon the duties of their appointment, shall each take and subscribe an oath or affirmation before some judge or justice of the peace to perform the duties enjoined on them by this act with fidelity, a copy whereof shall be filed with the draft of said road.

Record.

Compensation.

Expense.

Oath.

SECT. 12. *And be it further enacted by the authority aforesaid,* That the Governor be, and he is hereby authorised to appoint three disinterested commissioners, one of whom shall be a practical surveyor, to lay out and mark a state road beginning at the river Susquehanna at or near Millersburg in Dauphin county, thence the nearest and best route to Stumps town in Lebanon county, and from thence to the Downings-town and Ephrata turnpike; and the said commissioners or a majority of them shall proceed to perform the duties required of them by this act on or before the first Monday of May next, and shall cause a draft of said road to be deposited in the office of the Secretary of the Commonwealth, and shall also deposit a copy of the said draft in the office of the clerk of the court of quarter sessions of the respective counties through which said road may pass, which shall be a record thereof; and from thenceforth the said road shall be to all intents and purposes a public highway, and shall be opened and repaired in all respects as other roads are opened and repaired which are laid out by order of the courts of quarter sessions of the counties aforesaid.

3 commis-
sioners to be
appointed by
the governor

Time of
meeting.

Record.

Road made.

SECT. 13. *And be it further enacted by the authority aforesaid,* That the court of quarter sessions of Armstrong county be, and they are hereby directed to appoint six suitable persons, one of whom shall be a practical surveyor, to review that part of the state road from the town of Indiana in Indiana county, to the town of Kittanning in Armstrong county, which lies between the house of Robert Sturgeon and Richard Greham, both in the county of Armstrong; and if upon report of the said viewers or any five of them making any alteration of said road, if the court shall approve of the same, a draft with the courses and distances of said road so altered shall be filed in the office of the clerk of said court, a duplicate whereof shall be transmitted by him to the Secretary of the Commonwealth; and the road so laid out and approved as aforesaid shall be part of the state road, and that part rendered unnecessary shall be vacated.

Court of Q.
sessions of
Armstrong
county to ap-
point 6 per-
sons to re-
view a road
and vacate.

SECT. 14. *And be it further enacted by the authority aforesaid,* That the same allowance shall be made to the viewers as is made in similar cases for county roads, when they are appointed by the court to be paid out of the treasury of the county, on warrants drawn by the commissioners of the same.

Compensa-
tion how
paid.

JOSEPH LAWRENCE, *Speaker*
of the House of Representatives.

WILLIAM MARKS, Junior,
Speaker of the Senate.

APPROVED—the twenty-eighth day of March, one thousand eight hundred and twenty.

WILLIAM FINDLAY.