

officer or agent, who is or shall be employed under the legislative, executive or judiciary departments of the United States, and also that every member of congress is by law incapable of holding or exercising at the same time the office or appointment of judge, inspector or clerk of any election in this state.

JOHN GILMORE, *Speaker*
of the House of Representatives.

PHILIP S. MARKLEY,
Speaker of the Senate.

APPROVED—April the second, one thousand eight hundred and twenty-one.

JOSEPH HIESTER.

CHAPTER CL.

AN ACT

Authorising a review of parts of a state road in Fayette and Greens counties.

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 Robert Boyd, John Bute and Freeman Lewis, or any two of them, be, and they are hereby authorised and directed to meet at Middletown, in the county of Fayette, on or before the first Monday of June and proceed to review that part of the state road laid out from the White Horse, in Somerset county, to the Virginia line in the direction of Grave creek, which lies between the top of the hill east of Middletown and the national road at or near George Oldshoe's tavern; and if they or any two of them shall be of opinion that as good ground, the inclination or depression of which shall not exceed five degrees, can be selected without materially increasing the distance and so as to lessen the damage to those through whose property it may pass, they or a majority of them shall proceed to survey the same, and shall cause a draft with the courses and distances marked thereon to be deposited in the office of the Secretary of the Commonwealth, and shall also deposit a copy thereof with the clerk of the court of quarter sessions of the county of Fayette, which shall be a record of said road; and said road from thenceforward shall to all intents and purposes be a public

Commissioners appointed to view part of a state road,

And to survey & cause a draft of the same to be made and deposited, &c.

highway, and shall be opened and repaired as is required by the original act by which the said road was laid; and any part of said road which is hereby authorised to be altered be, and the same is hereby vacated.

SECT. 2. *And be it further enacted by the authority aforesaid,* That each of the said commissioners, before they enter upon the duties of their appointment, shall take and subscribe before some justice of the peace an oath or affirmation faithfully and impartially to perform the duties required of them by this act; and they shall each receive one dollar and fifty cents for each day they may be necessarily employed in said work, together with a reasonable allowance for chain carriers and marker; and the accounts of said commissioners shall be adjusted and settled by the county commissioners of Fayette county, and paid by warrants drawn on the treasurer by said commissioners.

Commissioners to be under oath or affirmation.

Their compensation.

SECT. 3. *And be it further enacted by the authority aforesaid,* That Joshua Dickerson, Richard Crooks and Henry Heaton be and they are hereby appointed commissioners, who, if in their opinion the public good shall require it, shall re-locate that part of the state road which passes through Waynesburg to the state line, in a direction to the flats of Grave creek, which is between Waynesburg and David Bradberry's, and also that part lying between the Low Gap, near to Hodge's improvement, and the tree which is fifteen miles from the Virginia line; and the said commissioners or a majority of them shall proceed to perform the duties of their appointment on or before the first Monday of June next.

Commissioners appointed to re-locate part of a state road which passes through Waynesburg &c.

SECT. 4. *And be it further enacted by the authority aforesaid,* That if the said commissioners shall, after reviewing the before mentioned sections of said road, be of opinion that the public good may be promoted by changing the route or tract of said road, they shall re-locate the same or such part thereof as they or a majority of them shall deem proper; and in making such alterations shall re-locate the road on such ground as that when the road is made it shall not exceed an elevation or depression of more than five degrees with a horizontal line, and shall deposit an accurate draft of said alteration in the office of the clerk of the court of quarter sessions of Greene county, which shall be a legal record thereof, and from thenceforth shall be a part of the aforesaid state road, and shall be opened, repaired and kept in order in the same manner in all respects as the other parts of said road are or shall be opened, repaired and kept in order; and so much of the said road as shall be supplied or rendered useless thereby is hereby vacated.

May make alterations.

A draft of the road to be made, and where deposited.

SECT. 5. *And be it further enacted by the authority aforesaid,* That each of the commissioners appointed by the third section of this act, before entering upon the duties required of them, shall take and subscribe an oath or affirmation before some justice of the peace, faithfully and impartially to

Commissioners to be under oath.

discharge the duties required of them by this act, and shall receive the same compensation for each day necessarily spent in performing the duties required of them as is provided by the second section of this act, together with other reasonable charges for chain bearers, &c. to be paid out of the treasury of Greene county on warrants drawn by the county commissioners in the usual way.

JOHN GILMORE, *Speaker*
of the House of Representatives.

PHILIP S. MARKLEY,
Speaker of the Senate.

APPROVED—April the second, one thousand eight hundred
and twenty-one.

JOSEPH HIESTER.

CHAPTER CLI.

A SUPPLEMENT

To an act, entitled, “ An act to raise and collect county rates and levies.

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 whenever it shall happen that any collector of county taxes has failed or hereafter shall fail to collect the amount of tax contained in his duplicate within the time now prescribed by law, it shall and may be lawful for the said collector, in his own name, to sue for and recover the amount of taxes due from any person or persons in the same manner that debts of equal amount are or may be by law recoverable, notwithstanding the time fixed for such collection has expired.*

JOHN GILMORE, *Speaker*
of the House of Representatives.

PHILIP S. MARKLEY,
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APPROVED—April the second, one thousand eight hundred
and twenty-one.

JOSEPH HIESTER.