

No. 134.

AN ACT

Authorizing the laying out of a State road from the borough of Kittanning, Armstrong county, to Brookville, in Jefferson county, and confirming the location of part of the State road from Franklin to Greenville.

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 John Sloan, junior, Alexander Duncan and James Corbet, be and hereby are appointed commissioners to view, lay out and mark a State road, beginning at the borough of Kittanning, Armstrong county, and to cross Redbank creek at or near the town of Millville, in said county, and from thence to the town of Brookville, in Jefferson county.

SECTION 2. It shall be the duty of the said commissioners, or a majority of them, appointed to view as aforesaid, after having been sworn or affirmed before some justice of the peace, who shall file and preserve the same in his office, to perform the duties enjoined on them by this act, with impartiality and fidelity; carefully to view the ground over which the road by them laid out may pass, and lay out the same as near to a straight line between the aforesaid points as the nature of the ground and circumstances will permit, and so that the vertical departure from a horizontal line shall in no point exceed five degrees, except at the crossing of ravines and streams where by moderate filling and bridging the declination of the road may be preserved within that limit; and further it shall be the duty of said commissioners to have due regard to the crossing of waters, the nature of the ground and damages to private property, and all other circumstances that may affect the route; so that by a judicious combination of them, the route adopted may best promote the public good; and that they shall clearly and distinctly mark upon the ground the route agreed upon, in such a manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties by this act enjoined, the commissioners herein mentioned shall receive a per diem allowance of one dollar and fifty cents each for every day they shall be necessarily employed in performing the duties of this act; and in case any of the said commissioners shall perform the duties of surveyor, he shall receive fifty cents per day in addition; and the said commissioners are hereby authorized to employ one surveyor at one dollar and fifty cents per diem, two chain bearers and one axeman at a per diem allowance not exceeding seventy-five cents.

Comm'rs to be sworn or affirmed, &c.

Manner of laying out the road.

Their compensation.

Drafts to be
made of the
road, &c.

SECTION 3. It shall be the duty of the said commissioners to make out a fair and accurate draft of the location of said road, noting thereon the courses and distances as they occur, the improvements passed through, and also the crossing of county and townships lines, roads and waters, with such other matters as may serve for explanation, one copy whereof shall be deposited in the office of the Secretary of the Commonwealth on or before the first day of September next, and one copy in the office of the clerk of the court of Quarter Sessions of the respective counties through which said road may pass, on the day aforesaid, or as much sooner as practicable, 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 roads are opened and repaired which are laid out by orders of the courts aforesaid.

Expenses,
how paid.

SECTION 4. The accounts of the said commissioners for their own pay and for the pay of surveyors, chain carriers and markers shall be adjusted by the commissioners of the respective counties through which said road shall pass, and paid by the treasurers thereof on warrants drawn in the usual way, in proportion to the length of the road in such county respectively.

Meeting of
the comm'rs.

SECTION 5. The said commissioners shall meet on or before the first Monday in May next, or as soon thereafter as practicable, at such places as a majority of them shall agree upon, and complete the location of said road as soon as practicable, and if any vacancy or vacancies shall happen by resignation or any other cause, the court of Quarter Sessions, of the proper county, as the case may be, are hereby authorized to fill the vacancy or vacancies by a suitable appointment.

State road
from Frank-
lin to Green-
ville.

SECTION 6. That part of the State road from Franklin, in Venango county, to Greenville in Mercer county, which lies between the house of Isaac Holloway and the house of Ephraim Voris, as viewed and located by Adam Carnahan, Thomas Coulson and James McCracken, is hereby confirmed, under the provisions of the law under which they were appointed viewers.

WM. PATTERSON,
Speaker of the House of Representatives.

JACOB KERN,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini, eighteen hundred and thirty-four.

GEO WOLF.