

## CHAPTER LXXVI.

*A further SUPPLEMENT to the Act entitled an Act for laying out, making and keeping in repair, the public roads and highways within this commonwealth, and for laying out private roads.*

**W**HEREAS by the existing laws for laying out and vacating public and private roads and highways, within this commonwealth, no provision is made to authorize the court of quarter sessions in the respective counties, to enquire, lay out, and vacate any public or private road or highway, at the same time or by the report of one view, and it appearing that such a power would be safe and advantageous, and would remove many inconveniences which have been experienced in a variety of cases, as the propriety of laying out a new road, or changing the route of an old one, might depend upon the old road being vacated in whole or in part, and would go to remove in many cases the objections against laying out a new road, as long as it remained doubtful whether the old one would be vacated or not: Therefore,

*SECT. I. 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 several courts of quarter sessions of the peace, in their respective counties shall, upon application to them being made for the purpose of opening a new road, or of vacating or changing the route of an old road, proceed therein by views and reviews, in like manner as has been practised in laying out public roads or highways under the laws now in force, that in addition to the powers heretofore given to viewers, they shall be authorized when they lay out a new road or change the route of an old road, to vacate the whole of the old road or any part thereof, as circumstances may render the one or the other necessary; and make report of their proceedings in the same manner as is now done in cases of views or reviews. *Provided always,* That it shall not be lawful for any road or part of a road vacated in pursuance of the provisions of this act, to be shut up or stopped until the road or part of road so laid out to supply the place thereof, shall be actually opened.

Additional powers granted to the courts of quarter sessions, in relation to roads.

Powers of reviewers.

Proviso.

*SECT. II. And be it further enacted by the authority aforesaid,* That the viewers appointed in pursuance of the fourteenth section of the act to which this is a supplement, to ascertain the damages sustained by individuals from public roads being laid out through their lands, the said viewers shall each of them, before they proceed to assess the said damages, take an oath or affirmation before some judge, alderman, or justice of the peace, justly and truly to value the same, and also to consider the advantage as well as the disadvantage of the said road.

Viewers, in the appraisal of damages, to take an oath or affirmation.

*SECT. III. And be it further enacted by the authority aforesaid,* That from and after the passing of this act, so much of any act

Repeal of former acts.

or acts or any part thereof as is by this act altered or supplied, be and the same is hereby annulled and made void.

JAMES ENGLE, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the third day of April, one thousand eight hundred and nine.

SIMON SNYDER.

CHAPTER LXXVII.

*An ACT to authorize and direct the Governor to incorporate a company for erecting a permanent bridge over the river Schuylkill, at or near Pawling's Ford, in the counties of Montgomery and Chester.*

WHEREAS it has been represented to the legislature of this commonwealth by a number of the inhabitants of Montgomery and Chester counties, that a permanent bridge over the river Schuylkill, at or near Pawling's ford, would be of advantage to the public interest : Therefore,

SECT. I. *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*

Commissioners appointed.

John Ralston, James Brooks, Enoch Walker and Michael Lynch, of the county of Chester, Archibald Darrah, John M. Farlin, John Pawling, jun. Alexander Crawford and George Bisbing, of the county of Montgomery, be, and they are hereby appointed commissioners, to do and perform the several duties hereinafter mentioned, *that is to say,* They shall and may, on or before the

To procure a book or books. Entry therein.

first day of June next; procure a book or books, and therein enter as follows, " We whose names are hereunto subscribed, do promise to pay to the treasurer of the company for erecting a permanent bridge over the river Schuylkill, at or near Pawling's ford aforesaid, for the use of the said company, the sum of fifty dollars for each share of stock set opposite to our respective names by us subscribed, in such manner and proportion, and at such times as shall be determined by the president and managers in pursuance of an act of the General Assembly, entitled " An act to empower the Governor to incorporate a company for erecting a permanent bridge over the river Schuylkill, at or near Pawling's ford." Witness our hands this day of one thousand eight hundred and

Notice to be given by advertisement in certain papers of the times and places of opening said books.

," and shall thereupon give notice in three newspapers, printed at Philadelphia, one whereof shall be in the German language, and one printed at Norristown, and one printed at Downingtown, in the county of Chester, for one calendar month at least, of the times and places when and where the said book or books shall be opened to receive subscriptions for the stock of the said company ; at which respective times and places,