

the same is hereby yearly appropriated for the purpose of paying the interest of the debt to be created by this act. Annual appropriation.

SECT. 5. *And be it further enacted by the authority aforesaid,* That after the year one thousand eight hundred and twenty one, and whenever there shall be at any time during the recess of the legislature in any year, a surplus of money in the treasury above the sums appropriated for the services of such year, the Governor is hereby authorised to direct the Auditor General and State Treasurer to apply such portion of the said surplus as he may deem expedient to the extinguishment of the debts, bearing an interest of six per cent. per annum, due by the commonwealth to the banks of the city of Philadelphia, and afterwards to the reimbursement or purchase of the debt aforesaid, to be paid in such sums and at such times as in the opinion of the Governor the situation of the treasury will best permit: *Provided always,* That no purchase of any part of the said stock shall be made at a rate above par, or one hundred dollars for every hundred dollars thereof. Surplus money may be applied to the extinguishment of debt, bearing six per cent interest, &c.

SECT. 6. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the Auditor General and State Treasurer to procure a competent number of blank certificates of stock, and the necessary books, and to make every other necessary arrangement to perform the duties assigned them under this act, and the expenses incident thereto shall be paid by the State Treasurer, on accounts settled in the usual manner, out of any monies in the treasury not otherwise appropriated. Duties of the Auditor General & State Treasurer.

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 CXXI.

AN ACT

Appointing commissioners to construct a road in Clearfield county, from the seat of justice of said county, to the Moshannon creek.

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 David Ferguson of the county of Clearfield, and

Commissioners appointed.

William Petriken of the county of Centre, be, and they are hereby constituted and appointed commissioners for the purposes herein after mentioned.

To contract for constructing a road in Clearfield county.

SECT. 2. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said commissioners to contract with a proper person or persons to open, clear, and construct in such manner as shall admit of the free and convenient passage of travellers and carriages, a certain road in the county of Clearfield, which shall commence on the western bank of of the Moshannon creek opposite to the road leading from Bellefonte to the said creek, and at or near to where the old Indian path crosses the same, and continue the same (as laid out by an order of court) on or near the said Indian path to the town of Clearfield.

Certain road taxes appropriated for making and finishing said road.

SECT. 3. *And be it further enacted by the authority aforesaid,* That all the sums of money received and to be received for the years eighteen hundred and twenty-one, eighteen hundred and twenty-two, eighteen hundred and twenty-three, and eighteen hundred and twenty-four, by the treasurer of the said county of Clearfield, for road taxes on unseated lands within the townships through which the said road shall pass, shall be appropriated by the commissioners of the county of Clearfield, and be retained in the county treasury subject to the orders of the above named commissioners, who are hereby authorised whenever any portion of the said road shall be finished to their satisfaction, and according to the contracts they may enter into by virtue of this act, or from time to time as they may deem proper, for the purpose of completing the said road or any portion thereof, to draw their order or orders upon the treasurer of the said county of Clearfield, who is hereby directed and required to pay the amount of the same: *Provided,* That the monies so paid by the treasurer as aforesaid shall not exceed the whole amount of the road taxes received by the said treasurer for unseated lands in the townships through which the aforesaid road is intended to pass.

How paid. Proviso.

SECT. 4. *And be it further enacted by the authority aforesaid,* That the said commissioners shall give a bond or bonds with proper securities, to be approved of by the court of quarter sessions of the county of Centre, in the sum of one thousand dollars, conditioned for the faithful discharge of the duties enjoined upon them by this act, which bond or bonds shall be placed on record in the office for recording deeds, &c. in the said county of Centre, and deposited in the office of the clerk of the said court of quarter sessions. And that the said commissioners shall account to the said court of quarter sessions in each and every year at the January sessions thereof for the due application of so much of the said road tax as they may have received. And the said commissioners shall receive out of the said road tax the sum of one dollar and fifty cents per

Commissioners to give bond with sureties.

And account to the court of quarter sessions annually.

diem, for every day necessarily employed in the duties aforesaid as a full compensation therefor; and in case of the death or inability of either of the said commissioners, the court of quarter sessions shall, upon application to them made, appoint a suitable person or persons to carry into effect the provisions of this act. vacancy how supplied.

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 HESTER.

CHAPTER CXLII.

AN ACT

Authorising the President and Managers of Pawlings-ford Bridge, over the river Schuylkill, to sell and transfer all their corporate rights and property.

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 Levi Pawling, Joseph Crawford, Thomas Walker, George Hauch, Elijah Funk, John Francis, and John Quin, late president and managers of the company for erecting a permanent bridge over the river Schuylkill at or near Pawlings' ford, or a majority of them, be, and they are hereby authorised and empowered to sell at public auction in the county of Montgomery or Chester, all the corporate rights, franchises, privileges and property, real, personal or mixed, of the said company, to the highest and best bidder; and to divide the proceeds thereof among the present stockholders, their assignees or legal representatives, and to execute under their hands and seals one or more good and sufficient deed or deeds, conveying and transferring the same to the purchaser or purchasers: Provided, That at least twenty days notice of the time and place of such sale shall be given in the newspapers printed in the counties of Montgomery and Chester, and one daily newspaper printed in the city of Philadelphia. And there shall be in such deed or deeds a sufficient cove-*