

said, and without any liability on the part of such purchaser or purchasers, as to the application or mis-application of the purchase money.

FREDK. SMITH,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—the thirtieth day of March, Anno Domini, one thousand eight hundred and thirty-one.

GEO. WOLF.

No. 144.

AN ACT

Relating to certain state roads.

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 John Walich and Martin A. Stock, of Northumberland county, and Samuel B. Fisher and Henry Stager, of Schuylkill county, be and they are hereby appointed commissioners, to lay out by courses and distances, a state road, beginning at the borough of Pottsville, in the county of Schuylkill, through Carbondale, thence to Daniel Herb's tavern, thence to Jonathau Reitzel's tavern, and thence to the public road, leading from Sunbury to Harrisburg, at or near Fisher's ferry.

Commissioners appointed to lay out road from Pottsville to Fisher's ferry.

Specifications of duty.

SECT. 2. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said commissioners or a majority of them, after taking an oath or affirmation before a justice of the peace to perform the duties enjoined upon them by this act, with impartiality and fidelity, carefully to view the ground over which the said road may pass, and lay out the same as near to a straight line between the aforesaid points, as the nature of the ground and other important circumstances will permit, and in such manner that the vertical departure from a horizontal line, shall at no point exceed five degrees, unless it be at the crossing of ravines and streams, where by moderate filling and bridges, the declination of the road may be preserved within that limit.

Damages to private property, &c.

SECT. 3. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the commissioners or a majority of them, in choosing the ground to have due regard to the

crossing of water, to the declination and nature of the ground, to the expenses of the townships, to the damages to private property, and to all other circumstances affecting the route, so that by a judicious and skilful combination of them, the route finally adopted may best promote the public good.

SECT. 4. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the commissioners, plainly and distinctly to mark upon the ground the route agreed upon for the road as aforesaid, in such manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties in this act enjoined, the commissioners are hereby authorised to employ two chain bearers, one axe man and one staff bearer, at a per diem allowance, not exceeding one dollar.

To mark
route on
ground.

To employ
assistants.

SECT 5. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the commissioners to make out a fair and accurate draft of the said location, noting thereon the courses and distances, from point to point, as they occur, the improvements they pass through, and also the crossing of county and township lines, roads or 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 December next, and one copy in the office of the clerk of the court of quarter sessions, of the respective counties aforesaid, on the day aforesaid, or as much sooner as practicable; which shall be a record thereof, and 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 order of the courts aforesaid.

Drafts of lo-
cation.

Where depo-
sited.

Road declared
a highway.

SECT. 6. *And be it further enacted by the authority aforesaid,* That the compensation of the commissioners shall be one dollar and fifty cents each, for every day necessarily employed by virtue of this act; and the accounts of the said commissioners, for their own pay and the pay of their hands as aforesaid, shall be adjusted and allowed by the commissioners of Northumberland and Schuylkill counties, and paid by the treasurers thereof, on warrants drawn in the usual way, each county to pay one equal half part of the expenses incurred in laying out the same; the commissioners shall meet at the borough of Pottsville, on the second Monday of May next, or as soon thereafter as possible, and complete the said work as soon as practicable; and if any vacancy or vacancies, shall by the resignation of one or more of the commissioners, or by any other cause, the governor is hereby authorised to fill the vacancy or vacancies by a suitable appointment.

Compensa-
tion of com-
missioners.
Accounts
how settled.

Time and
place of meet-
ing.

Vacancies to
be filled by
Governor.

SECT. 7. *And be it further enacted by the authority aforesaid,* That so much of an act passed the nineteenth day of March, one thousand eight hundred and twenty nine, as authorises

Act of 19th March, 1829, altered and amended relative to York and Cumberland road. the laying out of a state road from the north end of Newbury street, in the borough of York, through Lewisberry, to the west end of the Harrisburg bridge, in Cumberland county, be, and the same is hereby altered and amended, so as to fix the place of beginning for said road at or near the first mile stone from the borough of York, on the York and Conewago canal turnpike road.

Commissioners appointed to lay out a road in Beaver county. **SECT. 8.** *And be it further enacted by the authority aforesaid,* That Andrew Jenkins, Jonathan Beatty, and William Leet, be, and they are hereby appointed commissioners to view and law out a state road, from at or near Hugh Smiley's, in North Sewickley township, Beaver county, passing the house of William Cairns, Esq. to Big Run, in Shenango township, in said county.

Commissioners oaths, &c. **SECT. 9.** *And be it further enacted by the authority aforesaid,* That it shall be the duty of said commissioners, or a majority of them, after taking an oath or affirmation before a justice of the peace, to perform the duties enjoined upon them by this act with impartiality and fidelity, carefully to view the ground over which said road shall pass, and lay out the same on or near the old county road leading from Pittsburg to Newcastle, as far as the nature of the ground will permit, upon an inclination not exceeding six degrees, having due regard to the damages to private property; and that the said commissioners shall have power to vacate the old county road, so far as it shall be supplied by the new one.

Route. **SECT. 10.** *And be it further enacted by the authority aforesaid,* That the said commissioners, or a majority of them, shall proceed to perform the duties enjoined upon them by this act, on or before the first day of August next; and they shall make out a fair and accurate draft of the location of said road, one copy of which shall be deposited in the office of the Secretary of the Commonwealth, and one copy in the office of the clerk of quarter sessions of said county, as soon as practicable, which shall be a record thereof; and from thenceforth the 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 in said county.

Vacation of old road.

To proceed to act before 1st August. **SECT. 11.** *And be it further enacted by the authority aforesaid,* That the said commissioners are hereby authorised to employ a surveyor, two chain bearers, and one axe man, to assist them in laying out said road; and the compensation of the commissioners and surveyor shall be one dollar and fifty cents each, for every day necessarily employed by virtue of this act; and the chain bearers and axe men, shall receive a per diem allowance not exceeding seventy-five cents; and the accounts of the said commissioners, for their own pay and the pay of their hands as aforesaid, shall be adjusted

Drafts of location.

Road a highway.

Employment of assistants.

Settlement of accounts.

and allowed by the commissioners of said county, and paid by the treasurer thereof, on warrants drawn in the usual manner.

SECT. 12. *And be it further enacted by the authority aforesaid,* That the fourth section of an act, entitled "An act authorising certain commissioners to view and lay out certain state roads," passed the sixteenth day of April, eighteen hundred and thirty, be, and the same is hereby repealed, so far as respects the road from Middleburg, to a place at or near Hartleton, in Union county. Part of act of 16th April, 1830, repealed, relative to Union county road.

SECT. 13. *And be it further enacted by the authority aforesaid,* That the state road, laid out in pursuance of an act approved February twenty-third, eighteen hundred and twenty-seven, entitled "An act to authorise the laying out of a state road from Kutztown, in Berks county, to Mauch Chunk, in Northampton county," and vacated February nineteenth, eighteen hundred and twenty eight, be, and the same is hereby reinstated, as far as the same runs through the county of Lehigh. Relative to road from Kutztown to Mauch Chunk.

FREDK. SMITH,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The first day of April, A. D. one thousand eight hundred and thirty-one.

GEO. WOLF.

No. 145.

AN ACT

Authorising the Governor to incorporate the Lizard creek, Lehigh and Loyalhanna bridge companies, and for other purposes.

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 Jacob Dinkey, John D. Bowman, John Horr, Jacob Andrews, George Kelchner and Thomas Craig, 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 first day of June next, procure at least three books, and enter therein as follows: "We, whose names are hereunto subscribed, do promise to pay to the president, managers and company, for erecting a bridge over the river Lehigh, above Lizard creek, the sum of" Commissioners appointed to open books for Lizard creek bridge. Form of subscription.