

Election of
Directors.

bank: *And provided further*, That it may be lawful for the stockholders to meet at any time previous to the third Monday in November, one thousand eight hundred and thirty-one, and choose, by ballot, thirteen directors, to serve till that time, or until others are elected, notice of the election being given agreeably to the provisions of said act.

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. 149.

AN ACT

For laying out certain state roads in Schuylkill, Northampton, Butler, Luzerne, Lycoming, Chester and Berks counties, 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 George Baum, of Schuylkill county, Jedidiah Irish, of Northampton county, and Albert G. Broadhead, of Luzerne county, be and they are hereby appointed commissioners, to view and lay out, by courses and distances, a state road, to commence at the intersection of Centre street, with the state road, at the town of Tamaqua, in the county of Schuylkill, thence along said street, through the Panther mountain gap, and Lintner's gap of the Broad mountain, and thence over the Spring mountain, to intersect the Berwick turnpike, at the south side of Buck mountain, or at Black creek, in Luzerne county, having due respect to private property; and that the said commissioners have power to vacate any old road, so far as it is supplied by the new.

Commissioners named to lay out road from Tamaqua to Berwick turnpike

To vacate old road.

From the Welsh mountain to Reading.

SECT. 2. *And be it further enacted by the authority aforesaid,* That Jacob Mast, and William Clymer, of the county of Berks, and Malachi Happerset, of the county of Chester, be and they are hereby appointed commissioners, to view, lay out and mark a state road, beginning on the Welsh mountain, in Chester county, where the Waynesburg and Downingtown roads intersect; from thence by Morgantown, and the

new bridge, across the river Schuylkill, to the borough of Reading, in Berks county, having respect to the best ground for a road, and the shortest distance, in such manner as to do the least injury to private property.

SECT. 3. *And be it further enacted by the authority aforesaid,* That Lazarus Denison, Ziba Hoyt, of Luzerne county, and David H. Goodwin, of Lycoming county, are hereby appointed commissioners, to lay out, by courses and distances, a state road, beginning at "some point on the public road, near Harvey's Lake, in Luzerne county, thence by such route as may be deemed most beneficial, northwardly, till it intersects the Berwick turnpike, in Lycoming county, in a direction towards the borough of Towanda," having respect to the best ground for a road, and the shortest distance, in such manner as to do the least injury to private property.

From Harvey's lake to Berwick turnpike.

SECT. 4. *And be it further enacted by the authority aforesaid,* That Barnet Gilleland, John McQuieston, of Middlesex township, and John Dodds, be and they are hereby appointed commissioners, to review that part of the state road, leading from the borough of Butler to Franklin, which lies between the said borough of Butler and Stony run, with power to alter the location of the same wherever it may be necessary, and vacate such part or parts, between the said points of the said road, as they shall alter or supply by a new location; and the inclination of the said re-location, shall not exceed an angle of five degrees, with the plane of the horizon.

To review road from Butler to Stony run.

SECT. 5. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said commissioners, respectively, 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, to carefully view the ground over which the said road by them laid out shall pass, and to 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 so that the vertical departure from a horizontal line, shall at no point exceed five degrees, except only at crossing ravines and streams, where by moderate filling or bridging the declination of the said roads, may be preserved within that limit.

Oaths, duties, &c. of commissioners.

SECT. 6. *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 ground, to have due regard to the crossing of waters, to the declination and nature of the ground, to the expense upon the townships, to damage to private property, and to all other circumstances affecting the route, so that by a judicious and skillful combination of them, the route finally adopted, may best promote the public good.

To regard crossing waters, damages, &c.

SECT. 7. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the commissioners, plainly and

To mark
route on
ground, and
employ as-
sistants.

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 respectively are hereby authorised to employ two chain bearers, and one axe man, at a per diem allowance not exceeding one dollar.

Drafts of lo-
cation.

SECT. 8. *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 location of said road, noting thereon the courses and distances from point to point, as they occur, the improvements passed 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 September 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 from thenceforth the 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.

Places and
time of de-
posit.

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

SECT. 9. *And be it further enacted by the authority aforesaid,* That the compensation of the commissioners and surveyor, shall be two dollars 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 the respective counties, through which the said roads pass, and paid by the treasurers thereof, on warrants drawn in the usual way, and in proportion to the length of the road in such county respectively; the commissioners shall meet on the second Monday of May next, or as soon thereafter as possible, and complete the said work as soon as practicable, and if a vacancy or vacancies shall happen, by the resignation of the commissioners or by any other cause, the Governor is hereby authorised, to fill the vacancy or vacancies by a suitable appointment.

Time of meet-
ing.

Vacancies
how supplied.

Proceedings
under act of
19th March,
1829, annul-
led as far as
regards
Mauch Chunk
township.

SECT. 10. *And be it further enacted by the authority aforesaid,* That the fourth section of the act, of the nineteenth of March, one thousand eight hundred and twenty-nine, entitled "An act authorising the laying out of certain state roads, in Greene, York, Cumberland and Schuylkill counties," be and the same is hereby repealed, and all views, reports and other proceedings, had under or by virtue of the said fourth section, are hereby declared null and void, so far as the same relates to the location of the road, thereby authorised to be laid out, within the township of Mauch Chunk, in Northampton county: *Provided,* That nothing herein contained, shall

Proviso.

deprive or prevent the said commissioners, and other persons employed by them in viewing and laying out the state road, therein authorised to be laid out, from receiving the compensation allowed them by the said act. Compensation of persons employed.

SECT. 11. *And be it further enacted by the authority aforesaid,* That the tenth section of the act, of the nineteenth day of March, eighteen hundred and twenty-nine, entitled "An act authorising the laying out of certain state roads, in Greene, York, Cumberland and Schuylkill counties," which requires the commissioners therein named, to take from each and every person or persons owning land along the roads, by them to be laid out, acquittances or releases from any claim of damages, upon the condition that such road shall pass through the lands of such person or persons, and to file the same in the commissioners' office of the proper county, so far as the same relates to Schuylkill county, be and the same is hereby repealed. So much of 10th section of same act as relates to Schuylkill co. repealed.

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. 150.

AN ACT

To incorporate the Taylorsville Delaware Bridge Company.

WHEREAS, The legislature of the state of New Jersey, by an act passed the fourteenth day of February, A. D. one thousand eight hundred and thirty-one, entitled "An act to incorporate the Taylorsville Delaware bridge company," have appointed and authorised three commissioners therein named, who, with commissioners to be appointed by the commonwealth of Pennsylvania, shall be authorised to receive subscriptions to the capital stock of said company, at such times and places, in such manner, and for such purposes, as are set forth in the said act: *And whereas,* The said act provides for the incorporating of the persons holding shares into a company, with certain powers, privileges, and franchises, in the said act particularly set forth, to which act the concurrence of the legislature of the commonwealth of Pennsylvania is requested, in order that the same may be carried into effect: Therefore, Preamble.