

## No. 186.

## AN ACT

Authorising the laying out a state road in Berks and Schuylkill counties.

**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 Jonathan Miller, of Berks county, and John Heim and Henry Stager, of Schuylkill county, are hereby appointed commissioners to lay out, by courses and distances, a state road, beginning at a state road leading from Hamburg to Roehrsburg, where a public road from Bernville intersects the same, near Solomon Albright's tavern, in Upper Bern township, Berks county, to Schuylkill Haven, in Schuylkill county.

Commissioners appointed.

Route of road.

Oaths, duties, &c. of commissioners.

**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, to carefully 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 so that the vertical departure from a horizontal line shall at no point exceed seven degrees, except only at crossing the ravines and streams, where, by moderate filling or bridging, the declination of the road may be preserved within that limit.

To regard crossing of waters, &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 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 mark route agreed upon.

**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 a surveyor, two chain bearers, and one axe man.

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 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, 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 August 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.

Drafts of location.

Where deposited.

SECT. 6. *And be it further enacted by the authority aforesaid,* That each of the said commissioners shall receive the sum of one dollar and fifty cents, for each day he shall be necessarily employed in said work, together with a reasonable allowance for a surveyor, and a per diem allowance, not exceeding seventy five cents, for chain carriers and axe man; 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 road passes, 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 at Solomon Albright's tavern, on the first Monday in August 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.

Compensation of commissioners and assistants

Accounts how settled.

Meeting of commissioners.

Governor to supply vacancies.

FREDK. SMITH,

*Speaker of the House of Representatives.*

WM. G. HAWKINS,

*Speaker of the Senate.*

APPROVED—The second day of April, one thousand eight hundred and thirty-one.

GEO. WOLF.