

Guardian of  
minor chil-  
dren of Wm.  
Elder author-  
ized to sell  
&c. certain  
property in  
Mercer co.

Investment of  
proceeds.

Guardian to  
give security.

This act not  
to impair  
rights of  
others.

Guardian of  
children of  
Arthur Hook  
authorized to  
sell certain  
land in  
Greene co.  
To invest pro-  
ceeds.

make sale of the whole of such parts of such tracts or lots of land in Mercer county, as the aforesaid William Elder, in his life time, may have purchased at treasurer's sale for taxes, and to make a deed or deeds in due form of law for the same, or to make such compromise and agreements with other claimants, as to him may seem most advisable; and he, the said James Banks, shall place the proceeds arising from the said lands in some productive fund for the use and benefit of the said John and Hannah Elder: *Provided*, That the said James Banks, before he shall proceed to sell any part of the said lands, shall, with sufficient surety, enter into recognizance for the faithful execution of the trust hereby given: *And provided also*, That nothing herein contained shall affect or impair the right of any other person or persons, or of this commonwealth, in or to any part of the lands mentioned or intended to be mentioned herein, but that the right and title of all such other persons and of this commonwealth shall remain of the same force and effect as if this act had not been made.

SECT. 12. *And be it further enacted by the authority aforesaid*, That George Kent, guardian of the children of Arthur Hook, deceased, be and he is hereby authorized to sell and convey, by a good and lawful deed in fee, for the best price he can obtain, a certain lot of land containing about forty acres, situate in Morgan township, Greene county, adjoining lands late of Jacob Rhinehart, David Thomas and others, and the proceeds of said sale the said guardian is hereby authorized to put to interest for the benefit of the children as they arrive at twenty-one years of age respectively.

JOHN LAPORTE,

*Speaker of the House of Representatives.*

WM. G. HAWKINS,

*Speaker of the Senate.*

APPROVED—The fourth day of May, Anno Domini, eighteen hundred and thirty-two.

GEO. WOLF.

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No. 175.

AN ACT

To authorize the laying out of a state road in Lancaster 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 William Hiester, Samuel O. Jacobs of Lancaster county, and Doctor Jonas Rothrock and David Lud-

wig of Berks county, are hereby appointed commissioners to lay out by courses and distances a state road, beginning at or near the public house of Amos S. Kinzer, on the Downingstown, Ephrata and Harrisburg turnpike, in Lancaster county, and thence to the old Lancaster road, at or near the new bridge over the Schuylkill at Garber's ferry.

Commissioners appointed to lay out a road from Kinzer's in Lanc. co. to Schuylkill.

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 fidelity, to carefully view the ground over which said road may pass, and lay out the same as near a straight line between the aforesaid different 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 ravines and streams where by moderate filling or bridging the declination of the road may be preserved within that limit.

Commissioners oaths, duties, &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 waters, to the declination and nature of the ground, to the expense upon the townships, to damage upon 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.

To regard crossing waters, and nature of ground. Private property.

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 authorized to employ a surveyor, two chain bearers and one axeman.

To mark the route agreed upon and 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 township and county 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 October 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

Location.

Copies where to be filed.

opened and repaired in all respects as roads are opened which are laid out by order of the courts aforesaid.

**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 they 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 axemen, 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 on the first Monday in 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 authorized to fill the vacancy or vacancies by a suitable appointment.

Compensation of commissioners, and pay of assistants.

Settlement of accounts.

Commissioners to meet 1st Monday in May.

Vacancies how filled.

**SECT. 7.** *And be it further enacted by the authority aforesaid,* That Jared Shattuck of Crawford county, Bernard Martin of Venango county, and Martin Strong of Erie county, are hereby appointed commissioners to lay out by courses and distances a state road beginning at or near a small run called Pine creek, on the Susquehanna and Waterford turnpike road in the county of Venango; thence by Oil creek furnace, Titus, Centreville and Bloomfield, in Crawford county, to Union Mills, in Erie county, and all the provisions of the preceding sections of this act relative to the laying out the preceding state road in Lancaster and Berks counties shall be applicable to and are hereby enacted to apply to this road.

Commissioners appointed to lay out a road from Pine creek, Venango co. to Union Mills, in Erie co. agreeably to preceding sections.

Commissioners appointed to lay out a road from Anthony Kleckner's to Bald Eagle, Lycoming co.

**SECT. 8.** *And be it further enacted by the authority aforesaid,* That Anthony Kleckner of Centre county, John Fleming and David Hanna, of Lycoming county, are hereby appointed commissioners to lay out by courses and distances a state road beginning at the tavern house of Anthony Kleckner, in Logan township, Centre county; from thence the nearest and best route to the Bald Eagle creek, near the Great Island, in Lycoming county.

Oaths and duties of commissioners.

**SECT. 9.** *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 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 five degrees, except only at crossing ravines and streams, where by moderate filling or bridging the declination of the road may be preserved within that limit.

SECT. 10. *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 waters, to the declination and nature of the ground, to the expense upon the townships, 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 public good.

Relating to crossing waters, damages, &c.

SECT. 11. *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 authorized to employ two chain bearers, one axeman, and one staff bearer, at a per diem allowance not exceeding one dollar.

To mark upon the ground the route agreed upon.

To employ assistants.

SECT. 12. *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 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 tenth day of December next, and one copy in the office of the clerk of the court of Quarter Sessions of the counties of Centre and Lycoming, on the day aforesaid, or sooner if practicable, which shall be a record thereof, and from 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 orders of the courts aforesaid.

Drafts of location.

When and where deposited.

SECT. 13. *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 the counties of Centre and Lycoming through which the road passes, and paid by the treasurers thereof on warrants drawn in the usual way; the commissioners shall meet at Anthony Kleckner's aforesaid, on the second Monday of May next, or as soon thereafter as possible, and complete the work as soon as practicable; and if a vacancy

Compensation allowed.

Time & place of meeting.

Vacancies how filled. or vacancies shall happen by the resignation of the commissioners, or by any other cause, the Governor is hereby authorized to fill the vacancy or vacancies by a suitable appointment.

Commissioners to review part of road from Greenville to Franklin. Re-location authorized. Compensation allowed. **SECT. 14.** *And be it further enacted by the authority aforesaid,* That Andrew Borland, Ira Holloway and David Gardner, be and they are hereby appointed commissioners to review that part of the state road leading from Greenville to Franklin, which lies between the ten mile post near to Georgetown and Holloway's mill, 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 and 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, and the said commissioners shall receive the sum of one dollar and fifty cents each per day, as a compensation for their services as reviewers of the said road, to be paid by the treasurer of Mercer county, on the order of the commissioners of said county, drawn in their favor for that purpose.

Ferry across Muncy creek established. Lawson on west side. **SECT. 15.** *And be it further enacted by the authority aforesaid,* That Ebenezer Lawson, his heirs and assigns, shall have the right, at his and their own proper cost, to make a good and convenient landing on the west side of the west branch of the river Susquehanna, and to use said river at said landing as a public ferry on the estate of the said Ebenezer Lawson, situate on a public road leading across said river from Muncy creek township, on the east side of said river to Clinton township, on the west side of said river.

Mangess on eastern. **SECT. 16.** *And be it further enacted by the authority aforesaid,* That Solomon Mangess, his heirs and assigns, shall have the right, at his and their own proper cost, to make a good and convenient landing on the east side of the west branch of the river Susquehanna, and to use said river at said landing as a public ferry, on the estate of the said Solomon Mangess, situate on a public road leading across said river, from Clinton township, on the west side of said river, to Muncy creek township, on the east side of said river.

Ferry to be kept up by parties. **SECT. 17.** *And be it further enacted by the authority aforesaid,* That the said Ebenezer Lawson and Solomon Mangess, their heirs and assigns respectively, shall keep the same landings and ferry in good order and repair, fit for the transportation and passing of men, horses, other animals, and carriages of all kinds, and further shall keep good and substantial boats and qualified ferrymen, who shall constantly, as occasion may require, attend for the purpose of transporting travellers, cattle and carriages, as aforesaid, over the river, with all reasonable diligence and attention.

SECT. 18. *And be it further enacted by the authority aforesaid,* That the said Ebenezer Lawson and Solomon Mangess, their heirs and assigns respectively, for keeping up and maintaining the said landings and ferry as aforesaid, shall receive from persons passing over the said river at said ferry, such price or fees as (are) customarily paid at other ferries on said west branch of the river Susquehanna, subject to such rates and regulations as the court of Quarter Sessions of the county of Lycoming may order and direct: *Provided,* That nothing in this act contained, shall be construed so as to vest in the said Ebenezer Lawson and Solomon Mangess, their heirs and assigns, the right to receive or discharge any travellers, cattle or carriages as aforesaid, on land belonging to any other persons, without the consent of the owner or owners of such land, or to prevent any future legislature from resuming the privileges hereby granted.

Rates of ferry  
riage.

Proviso.

No authority  
to land on other  
property.Right to re-  
peal.

SECT. 19. *And be it further enacted by the authority aforesaid,* That the said Ebenezer Lawson and Solomon Mangess, their respective heirs and assigns, shall each have the right to use the landing of the other so far as may be necessary for the purposes of a public ferry, and the full enjoyment of the privileges hereby granted.

Joint use of  
landings.

SECT. 20. *And be it further enacted by the authority aforesaid,* That the directors of the poor and of the house of employment for the townships of Oxford and Lower Philadelphia, be, and they are hereby authorized to grant, bargain, sell and convey unto Samuel Comly, Samuel Willing, Richard F. Allen, William Folwell and Joseph Ripka, and to their heirs, so much of the lands belonging to the farm connected with the poor institution of said townships, not exceeding five acres, as may be overflowed by the mill dam of said Samuel Comly and others, at such a sum or price as may be agreed upon by the parties, or by three or more judicious men, by them to be chosen, and a good and sufficient title in the law, to cause to be made to the said Samuel Comly, Samuel Willing, Richard F. Allen, William Folwell and Joseph Ripka, their heirs and assigns in fee simple.

Directors of  
the poor of  
Oxford and  
Lower Dub-  
lin of Phila-  
delphia to sell  
and convey 5  
acres of land  
flooded by  
mill dam.

SECT. 21. *And be it further enacted by the authority aforesaid,* That William Patterson, of the county of Adams, and Henry Logan of the county of York, and Peter Lobach of the county of Cumberland, be, and they are hereby appointed commissioners for the purpose of running and marking a line, beginning at a point where the York, Adams and Cumberland county lines meet, being at a place commonly called Coulters road; thence to a point on the road leading from Gettysburg to Shippensburg, being on the top of the South mountain, to a stone heap at the side of said road, which line, when run and marked, shall be the boundary line dividing the county of Adams from the county of Cumberland.

Commission-  
ers appointed  
to run & mark  
line between  
Adams and  
Cumberland  
counties.

**SECT. 22.** *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said commissioners, or any two of them, on or before the first Monday of May next, to survey and mark said line agreeably to the provisions of the foregoing section, and make duplicate drafts of the same, inserting thereon the courses and distances in words, at full length, one of which drafts they shall deposit in each of the prothonotaries offices of the aforesaid counties, which shall thereafter be considered a public record.

Time fixed for operations.

Drafts where to be deposited.

Per diem allowance, expenses, &c.

**SECT. 23.** *And be it further enacted by the authority aforesaid,* That the commissioners appointed to run and mark the said line, shall make out an account of their incidental expenses, in performing the duties enjoined on them by this act, which, together with two dollars per diem to each of said commissioners for and during the time they shall be necessarily employed in running said line, shall be paid in equal proportions by the said counties of Adams and Cumberland, by the commissioners of the said counties, by warrants drawn on the treasurers of their respective counties.

Commissioners appointed to run and mark division line between the counties of Union and Lycoming.

**SECT. 24.** *And be it further enacted by the authority aforesaid,* That Samuel Oakes of Columbia county, and Thomas Smith and Abraham Straub of Northumberland county, be, and they are hereby appointed commissioners to run and mark the division line between the counties of Union and Lycoming, beginning at a marked red oak, on the west side of the West Branch of the river Susquehanna, fifty-eight perches above the mouth of Laffesties run; thence south eighty-nine degrees west, until it intersects the original division line between the counties of Northumberland and Lycoming; thence along the same to the Centre county line.

Time fixed.

Drafts where to be deposited.

**SECT. 25.** *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said commissioners, or any two of them, on or before the first day of June next, to survey and mark said line agreeably to the provisions of the foregoing section, and make duplicate drafts of the same, inserting thereon the courses and distances in words, at full length, one of which drafts they shall deposit in each of the prothonotary's offices of the counties of Union and Lycoming, which shall thereafter be considered a public record.

Compensation how made.

**SECT. 26.** *And be it further enacted by the authority aforesaid,* That the commissioners shall be allowed the sum of two dollars per day for their services in performing the duties enjoined on them by this act, to be paid equally by the counties of Union and Lycoming aforesaid, by orders drawn by the commissioners on their respective treasurers, in the usual manner.

**SECT. 27.** *And be it further enacted by the authority aforesaid,* That the commissioners of the district of Southwark are hereby authorized to widen the Moyamensing road, from Wharton street to the southern boundary of the district of

Southwark, to the same width that it now is from Prime to Wharton street, and that the commissioners of Moyamensing township be authorized to widen Eleventh street from Shippen to Federal street in said district, fifty feet in addition to its present width, damages to be assessed relative to the said street according to law, and that the said commissioners of Moyamensing township be, and they are hereby empowered to pass such ordinance or ordinances as they may deem necessary for regulating the construction or removal of wooden buildings in said township

Commissioners of Southwark & Moyamensing authorized to widen certain streets.

Regulation & of wooden buildings.

SECT. 28. *And be it further enacted by the authority aforesaid,* That the Governor is hereby authorized and required to draw his warrant in favor of Solomon Bower and Henry Mumper, for the sum of one thousand dollars, to be paid out of any monies in the treasury, not otherwise appropriated, for the purpose of improving that part of the state road between Shippensburg in Cumberland county, and Lewistown in Mifflin county, which crosses the Conococheague hill between the upper end of Shearman's valley and Horse valley, to commence on the north side of the said Conococheague hill: *Provided however,* That before the said money is paid, the said commissioners shall file a bond in the office of the Secretary of the Commonwealth, with one or more sureties, to be approved by any two of the judges of the court of Common Pleas of Perry county, conditioned for the faithful application of said money, and that they will settle an account thereof in the court of Quarter Sessions of Perry county, within one year after receiving said money.

\$1000 appropriated to improve part of state road between Shippensburg and Lewistown.

Proviso.

Commissioners to file bond.

SECT. 29. *And be it further enacted by the authority aforesaid,* That Benjamin Adams and James Johnston, of Beaver county, and John Stevenson, of Allegheny county, be and they are hereby appointed commissioners to view, lay out and mark a state road, beginning at Phillipsburg, in Beaver county; thence by the White Oak Flats, to intersect with Hookstown state road at or near the Big Lick, in Robertson township, in Allegheny county.

Commissioners appointed to lay out a road from Phillipsburg to Big Lick in Allegheny co.

SECT. 30. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said commissioners, or a majority of them, appointed for to view as aforesaid, after having been sworn or affirmed before some justice of the peace, who shall file and preserve the same in his office, to perform the duties enjoined on them by this act with impartiality and fidelity, carefully to view the ground over which the road by them laid out may pass, and lay out the same as near to a straight line between the aforesaid points as the nature of the ground and circumstances will permit, and so that the vertical departure from a horizontal line shall in no point exceed five degrees, except at the crossing of ravines and streams, where, by moderate filling and bridging, the declination of the road may be preserved within that limit; and further, it shall be the duty of said commis-

Oaths of office

General duties.

sioners to have due regard to the crossing of waters, the nature of the ground, and damages to private property, and all other circumstances that may affect the route, so that by a judicious combination of them, the route adopted may best promote the public good, and that they shall clearly and distinctly mark upon the ground the route agreed upon, in such a manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties by this act enjoined on the commissioners herein mentioned shall receive a per diem allowance of one dollar and fifty cents each, for every day they shall be necessarily employed in performing the duties of this act; and in case any of the said commissioners shall perform the duties of surveyor, he shall receive fifty cents per day in addition, and the said commissioners are hereby authorized to employ one surveyor, at one dollar and fifty cents per diem, two chain bearers and one axeman, at a per diem allowance not exceeding seventy five cents.

To mark upon the ground the route agreed on.

Compensation

Authority to employ assistants.

Drafts of location.

Where deposited.

Road declared a public highway.

Adjustment of accounts.

Time of meeting.

Vacancies how filled.

SECT. 31. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said commissioners to make out a fair and accurate draft of the location of said road, noting thereon the courses and distances 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 January next, and one copy in the office of the clerk of the court of Quarter Sessions of the respective counties through which said roads may pass on the day aforesaid, or as much sooner as practicable, which shall be a record thereof, and from thenceforth the said roads shall be, to all intents and purposes, public highways, and shall be opened and repaired in all respects as roads are opened and repaired which are laid out by orders of the courts aforesaid.

SECT. 32. *And be it further enacted by the authority aforesaid,* That the accounts of the said commissioners for their own pay, and for the pay of surveyors, chain carriers and markers, shall be adjusted by the commissioners of the respective counties through which said road shall pass, and paid by the treasurers thereof on warrants drawn in the usual way, in proportion to the length of the road in such county respectively.

SECT. 33. *And be it further enacted by the authority aforesaid,* That the said commissioners shall meet on or before the first Monday in May next, or as soon thereafter as practicable, at such place as a majority of them shall agree upon, and complete the location of said road as soon as practicable; and if any vacancy or vacancies shall happen by resignation or any other cause, the court of Quarter Sessions of

the proper county, as the case may be, are hereby authorized to fill the vacancy or vacancies by a suitable appointment.

SECT. 34. *And be it further enacted by the authority aforesaid,* That the Governor be and he is hereby authorized to draw his warrant on the State Treasurer in favor of Mathew Dill and Thomas Fragardin, Esquires, of Greene county, and Jesse Bumgarner, Esq. of Washington county, for the sum of seven hundred dollars, to be laid out by them in erecting a bridge over Ten Mile creek, where the state road leading from the city of Pittsburg to Morgantown, Virginia, crosses the same, payable one year from and after the passage of this act. \$700 appropriated to the erection of a bridge over Ten Mile creek.

SECT. 35. *And be it further enacted by the authority aforesaid,* That the Governor be and he is hereby authorized to draw his warrant on the State Treasurer, in favor of William Scott, Andrew Christy and James Waugh, of the county of Mercer, for the sum of six hundred dollars, to be by them laid out and expended in re-building the bridge over Shenango creek, at Greenville, in Mercer county. \$600 to re-build the bridge over Shenango creek at Greenville

SECT. 36. *And be it further enacted by the authority aforesaid,* That the Governor be and he is hereby authorized and required to subscribe ninety-two shares of twenty five dollars each, to the stock of the company, for erecting a bridge over the west branch of the river Susquehanna, at the borough of Milton, one half of the amount of said subscription to be paid as soon as the abutments and piers shall have been erected, and the remainder thereof when the said bridge shall be finished, on warrants drawn by the Governor on the State Treasurer. Governor authorized to subscribe for 92 shares in the Milton bridge co

JOHN LAPORTE,  
*Speaker of the House of Representatives.*  
WM. G. HAWKINS,  
*Speaker of the Senate.*

APPROVED—The fourth day of May, A. D. one thousand eight hundred and thirty-two.

GEO. WOLF.

No. 176.

### AN ACT

For the relief of sundry soldiers and widows of soldiers of the revolutionary war.

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 the State Treasurer be and he is hereby authorized and required to pay to James Ewing, of Chester