

No. 171.

AN ACT

Authorizing the laying out of a state road from the borough of Lebanon in Lebanon county, to Churchtown, in Lancaster county.

Commiss'rs.

SECTION 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 Hibshman and John Tom, of Lancaster county, and Tobias Kreider, jr. of Lebanon county, be and they are hereby appointed commissioners to lay out, by courses and distances, a state road, from the borough of Lebanon, in the county of Lebanon, through Sheafferstown and Reamstown, to Churchtown; in Lancaster county; running, marking and laying out, for at least three fourths of a mile, the contemplated new road, immediately from the borough of Lebanon, on the old road now leading from said borough of Lebanon to Sheafferstown, on taking the turnpike road, for at least three fourths of a mile immediately from said borough.

Duty of
commiss'rs.

SECTION 2: 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 on which the said road may pass, and to lay out the same as near to a straight line between the aforesaid points, as the nature of the ground and circumstances will admit.

To employ a
surveyor, &c.

SECTION 3. It shall be the duty of the commissioners, or a majority of them, to have due regard to the nature of the ground and damages to private property, and all other circumstances that may affect the route adopted, may best promote the public good; and further, that they shall clearly and distinctly mark upon the ground the route agreed upon, 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 said commissioners are hereby authorized to employ one surveyor, whose compensation shall not exceed two dollars per day, and two chain bearers and one axeman, at a sum not exceeding one dollar per day for each.

Make a draft
of said road.

SECTION 4. It shall be the duty of the commissioners to make out a fair and accurate draft of said location, noting thereon the courses and distances from point to point, as they occur, the improvements passed through, and also the crossing of the 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 December next, and one copy in the office of the clerk of the Court of Quarter

Copies to be
deposited in
the offices of
the clks. of
the S. C. and
Q. S.

Sessions of the respective counties aforesaid, 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 order of court.

SECTION 5. The compensation of the commissioners shall be two dollars each, for every day necessarily employed by virtue of this act, and the accounts of said commissioners 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 said 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 occur by resignation or otherwise, of one or more of said commissioners, the others, or a majority of them, shall appoint a person or persons in his or their place to perform the duties aforesaid.

Compensation of comm'rs.
How adjusted and allowed.
Commissioners, where to meet.
Vacancies supplied.

WM. PATTERSON,

Speaker of the House of Representatives.

JACOB KERN,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini, eighteen hundred and thirty-four.

GEO: WOLF.

No. 172.

AN ACT

To authorize the executors of the last will and testament of Joseph Shultz, deceased, to sell certain real estate, and for other purposes.

SECTION 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 Daniel Shultz, Amos Shultz, and Isaac Shultz, junior, executors of the last will and testament of Joseph Shultz, late of Douglass township, in the county of Montgomery, deceased, are hereby authorized to sell at public or private sale, as to them shall seem most conducive to the interest of said estate, all the real estate of said deceased, situated in the township of Hereford, in the county of Berks, or such part thereof as they shall think advisable, and to convey the same, either in whole or in parcels, to the purchaser or purchasers thereof.

Sale of certain real estate authorized.