

foresaid, to publish a notice of his said appointment in the place in which his official acts are to be exercised.

WM. HOPKINS,

*Speaker of the House of Representatives.*

CHARLES B. PENROSE,

*Speaker of the Senate.*

APPROVED—The thirteenth day of March, eighteen hundred and thirty-nine.

DAVID R. PORTER.

No. 45.

AN ACT

Providing for the improvement of the road leading from Coudersport, in Potter county, to the New York state line, about two miles west of Cerestown, in M'Kean county.

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 the owners of unseated lands, in the townships through which the main road leading from Coudersport, in Potter county, to the state line between Pennsylvania, and the state of New York, where the Coudersport and Olean road intersects it, about two miles west of Ceres, in M'Kean county, shall be authorized to pay their road taxes on said lands, in the said townships, to the treasurers of the respective counties in advance, for three years, commencing with the year eighteen hundred and forty, and that the same be paid by the said treasurers, to the commissioners hereinafter mentioned, to be appropriated, laid out and expended on the road aforesaid.

Tax on unseated lands to be paid in advance

To be laid out on Coudersport and Ceres road

SECTION 2. That the commissioners of the county of Potter, shall be, and they are hereby authorized to appropriate out of the county funds, any sum not exceeding fifteen hundred dollars, and the commissioners of the county of M'Kean, any sum not exceeding five hundred dollars, at any time previous to the first day of January, Anno Domini, eighteen hundred and forty-three, to be expended upon the road as aforesaid.

Appropriation by Potter and M'Kean counties to the road

SECTION 3. That Ansel Purple, Timothy Ives, jr. and Arad H. Johns, be commissioners to lay out and expend the appropriation or appropriations to be made by the county com-

missioners to expend appropriations

missioners, of the county of Potter, and the taxes so paid in advance as aforesaid, in the county of Potter, and that John King and John Smith, be commissioners, to lay out and expend the appropriation or appropriations, of the county commissioners of the county of M'Kean, and the taxes paid in advance as aforesaid in the county of M'Kean. That the commissioners aforesaid, shall have power to change the location of the said road, whenever it shall be necessary to obtain a better and more convenient route.

May change location

Bonds of commissioners

Vacancies how supplied

SECTION 4. The commissioners appointed by this act, shall give bonds to the counties in which they respectively reside, to be approved of by the courts of quarter sessions of the said counties respectively, for the faithful disbursement of the said moneys before they receive the same. The courts of quarter sessions respectively, of the counties of Potter and M'Kean, in case any vacancy or vacancies, shall occur by death, resignation or removal out of the county, of any of the commissioners named in this act, shall have power to fill such vacancy or vacancies, and the person or persons so appointed by the said court, shall have all the powers given to the commissioner or commissioners named in this act, and be required to give bonds as herein directed.

Pay of commissioners

Settlement of their accounts

SECTION 5. That the expenses of the commissioners shall be paid by the county in which the appropriations are made, and that the county commissioners of the said counties, shall be required to settle their accounts annually, during the first week in December, until the appropriations provided for in this act, are all expended and accounted for, to the commissioners as aforesaid: *Provided also*, That the settlement of settlements so made as aforesaid, shall be approved by the county auditors, whose duty it shall be to meet with the commissioners at the time aforesaid for that purpose. *Provided also*, That an appeal may be had from the decision of the county commissioners or auditors, or from both, to the court of common pleas of the proper county.

WM. HOPKINS,

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