

[No. 130.]

AN ACT

Authorizing the laying out of a State Road from Beaver county, to the east end of the Mahoning bridge, opposite the town of Edenburg, in Mercer county, 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 Samuel Poak, and Ebenezer Byers, jr., of Beaver county, and James Oliver, of Mercer county, be and they are hereby appointed commissioners to view and lay out a state road, from where the state road passes the junction of the Pennsylvania and Ohio canal, on the east side of Shenango, in Beaver county, to the east end of the Mahoning bridge, opposite the village of Edenburg, in Mercer county, by the nearest and best route.

SECTION 2. That Allen P. Hibshman, of Lebanon county, and Jesse Pennypacker, and David May, of the county of Lancaster, be and they are hereby appointed commissioners to view and lay out a state road, from Shefferstown, in Lebanon county, via Rist's mill, to the borough of Manhiem, in Lancaster county.

SECTION 3. That Thomas Stevenson, of Butler county, Benjamin Alexander, and Henry Black, of Mercer county, be and they are hereby appointed commissioners, to view, lay out, and mark a state road, beginning at the town of Centreville, in Butler county, thence by the nearest and best route to Brown's mills, in Mercer county.

SECTION 4. It shall be the duty of the respective boards of commissioners, or a majority of each board respectively, after taking and subscribing, 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 roads may pass, and to lay out the same as near to a straight line between the aforesaid points as the nature of the ground will permit, so that the vertical departure from a horizontal line, shall at no point exceed five degrees except only at crossing ravines and streams, when by a moderate filling or bridging the declination of the said roads, it may be preserved within that limit.

SECTION 5. That it shall be the duty of said commissioners respectively, plainly and distinctly to mark the ground on the routes agreed upon for the roads aforesaid, in such manner as to enable the supervisors readily to find the same, and for the

Commissioners

State road
from Lebanon
co to Lancas-
ter countyState road
from Butler
co to Mercer
countyDuty of com-
missioners

Route

purpose of fulfilling the duties in this act enjoined, the commissioners respectively, are hereby authorized to employ one Surveyor, &c surveyor, at a per diem allowance not exceeding two dollars, pay and two chain carriers, at a per diem allowance not exceeding one dollar, and the said commissioners respectively, shall receive a per diem allowance not exceeding two dollars for each and every day necessarily spent in the discharge of the duties enjoined by this act, to be paid in manner and form as hereinafter directed. ^{Commissioners pay}

SECTION 6. That it shall be the duty of each board of commissioners respectively, to make out a fair and accurate draft of the location of said roads, respectively, noting thereon Drafts the courses and distances as they occur, the improvements passed through, and also the crossing of 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 offices of the clerks of the courts of the respective counties, in which said roads may be laid out, on the day aforesaid, or as much sooner as practicable, which shall be a record thereof, and from thenceforth the said road shall be to all intents and purposes, public highways, and shall be opened to the breadth, and repaired in all respects, as roads are opened and repaired which are laid out by order of the courts aforesaid. ^{When deposited}

SECTION 7. That the accounts of the said commissioners for their own pay and the pay of surveyors, chain carriers, and so forth, shall be made out and returned to the commissioners of such counties in which said roads may be located, in proportion to the time spent in the respective counties in locating said road, and that they be paid out of the treasury of each of the respective counties, on warrants drawn in the usual way. ^{Commissioners' accounts—how settled and paid}

SECTION 8. That the said commissioners shall meet on or before the first Monday in June next, or as soon thereafter as practicable, and complete the review of said roads as soon as practicable; and if any vacancy or vacancies shall happen by resignation or otherwise, the court of quarter sessions of the county where any vacancy or vacancies occur, shall fill said vacancy or vacancies by the appointment of suitable persons who shall perform said duty. ^{Meeting}

SECTION 9. That it shall be the duty of the respective supervisors of the townships of Wolf, Shrewsbury, Plunket's Creek, Fox and Elkland, in the county of Lycoming, and of certain tps in the townships of Franklin and Monroe, in the county of Bradford, to apply annually, or as they may receive the same, the one-half of the unseated land taxes assessed for road purposes in the said townships respectively, to the opening and improvement of the state road leading from Pennsborough, (now called ^{Supervisors of Lycoming & Bradford counties to apply part of taxes on unseated lands}

- Muncy,) in Lycoming county, to Meansville, (now called Towanda,) in Bradford county, until it shall be made a good wagon road, and to secure the faithful performance of the duties herein imposed, the said supervisors shall give and the respective county treasurers are required to take a bond in the name of the Commonwealth, the penalty of which shall be the amount of unseated land tax assessed in that township, *conditioned for the faithful expenditure of the one-half of all the moneys received on account of unseated land taxes, to the opening and improvement of such part of the said state road as lies within the said township.* Suit may be instituted upon said bond or bonds, by any person or persons feeling himself or themselves aggrieved by the misappropriation of said money, or the negligence of the supervisor or supervisors; and upon recovery, the penalty of said bond shall be considered the measure of damages, and be recovered as debts of like amount are by law recoverable, which sum after deducting the expense of prosecution, including one dollar per day for the time of the complainant or prosecutor, shall be applied to opening and improving said road within the township where the default may occur, under the direction of one or more of the commissioners of said state road for the time being: *Provided,* That the said supervisor or supervisors, may prove by any competent testimony, that the said road has already been opened and improved, so as to be a good wagon road.
- SECTION 10.** That C. Burritt Raymond, Peter Townsend, junior, and Hiram Fuller, or a majority of them, and their associates, be and are hereby created and constituted a body corporate and politic, by the name, style, and title of the "Allegheny Iron Company," the capital stock of which company shall not exceed five hundred thousand dollars; and the said company may hold not exceeding at any one time more than six thousand acres of land, in the counties of Armstrong, Clarion and Butler. And the said company shall have the same powers, liberties, privileges, immunities, and be subject to the same terms and conditions as are imposed on the anthracite iron company, incorporated by an act of assembly called "An act to incorporate the anthracite iron company," passed the twenty-fifth of May, A. D. eighteen hundred and thirty-nine: *Provided,* That the company hereby created, shall not be restricted to the use of anthracite coal in carrying on their operations. And they are hereby further authorized, to employ such portion of their capital as may be necessary, in opening coal mines, constructing railroads, and in transporting to market, and in vending the produce of their lands, mines and manufactures, and in dealing in such articles of personal property as may be necessary to enable them successfully to carry on their operations aforesaid: *Provided,* That the notices required to be given in said act to which this refers, shall
- to a certain state road
- Supervisor's bond
- Proviso
- Allegheny iron company incorporated
- Capital stock
- Liberties, powers, restrictions, &c
- Proviso
- Mining, railroads, &c
- 2d proviso

be given in Pittsburg instead of Philadelphia: *And provided* ^{Quorum} further, That the number of directors shall be five, a majority of whom shall be a quorum.

WM. A. CRABB,

Speaker of the House of Representatives.

JN. H. EWING,

Speaker of the Senate.

APPROVED—The sixth day of May, one thousand eight hundred and forty-one.

DAVID R. PORTER.

[No. 131.]

A N A C T

Authorizing a Loan.

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 the same:* That the Governor be and he is hereby authorized to negotiate a loan for the sum of nine hundred and thirty thousand dollars, at a rate of interest not exceeding six per cent per annum, payable half yearly, and the faith of the Commonwealth is hereby pledged for the reimbursement of the principal within five years. The interest to be paid semi-annually on the first day of February, and first of August, at the state treasury or at the Bank of Pennsylvania. The proceeds of said loan to be applied to the payment of a stock loan of nine hundred and thirty thousand dollars, authorized by the act of the second April, eighteen hundred and twenty-one, and due first of June next. And the Governor is authorized to cause to be executed certificates of stock, signed by the auditor general and state treasurer, for the sum thus borrowed, bearing interest at the rate of six per cent. per annum, and reimbursable as aforesaid, which shall be transferable by the owner or owners in the usual way; *Provided*, That the Governor be and he hereby is authorized to renew any portion or all of the loan then becoming due to the holders thereof, at the same rate of interest per annum, and for the same term that the original loan was taken.

SECTION 2. The Governor be and he is hereby authorized to negotiate, in anticipation of revenue of the current year, a temporary loan on the credit of the Commonwealth, for such sum as may be required to meet any deficiency there