

[No. 42.]

## A FURTHER SUPPLEMENT

To an act supplementary to an act entitled, "An act to incorporate the Bustleton and Summerton Turnpike Road Company," passed the fourteenth day of April, A. D. eighteen hundred and forty, 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of the same,* That so much of said act as allows said company to change the bed of the road, be and the same is hereby repealed, so far as lies between Dark Run lane, and the intersection of the Frankford and Bristol turnpike road, and the said Bustleton and Summerton turnpike road company be confined to the bed of the old road. Part of former law repealed

SECTION 2. And be it further enacted, that so much of an act entitled an act to incorporate the Pittsburgh and Steubenville turnpike road company, and for other purposes, passed the fifteenth day of April, A. D. one thousand eight hundred and forty-one, as relates to the public roads in the township of Hanover, in the county of Washington, be and the same is hereby repealed. Washington co Hanover tp roads

SECTION 3. That so much of the act supplementary to an act granting certain powers to the authorities of the cities of Lancaster and Philadelphia, and for other purposes, passed the sixteenth day of April, Anno Domini, one thousand eight hundred and thirty-eight, and extended to the county of Chester, the twenty-seventh day of March, Anno Domini, one thousand eight hundred and thirty-nine, as relates to letting out the public roads by contract, by the supervisors of the several townships, in the county of Chester, be and the same is hereby repealed, so far as relates to the township of Upper Oxford, New Garden, Brandywine, East Nantmeal, New London, West Nantmeal, Londongrove, East Fallowfield, West Marlborough, in said county. Public roads in Chester co

SECTION 4. That William Oldham, Jacob Reel, of Somerset county, and J. W. Potts, James Moore, and William Penrose, of Bedford county, be and they are hereby appointed commissioners, to view and lay out a state road, from Birdsfield, in Bedford county, via Blackburn's Mill, in Bedford county, Harman's Gap, on the Allegheny mountain, William Oldham's mill, and the new furnace, in Somerset county, to Stoystown, in said county. Road from Birdsfield to Blackburn's mill in Bedford co

**Duty of comr's** SECTION 5. It shall be the duty of the said commissioners, or a majority of them, appointed 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 crossing 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 the commissioners, 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 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 herein mentioned shall receive a per diem allowance of one dollar each, for every day they shall be necessarily employed in performing the duties of this act, and the said commissioners are hereby authorized to employ one surveyor, at two dollars per diem, two chain bearers, and one axe man, at a per diem allowance not exceeding seventy-five cents.

**Pay**

**Draft** SECTION 6. 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 road may pass, 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 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 courts aforesaid. And the damages sustained by the owners of private property, assessed and paid in the same manner.

**Damages**

**Acts of comr's &c** SECTION 7. The accounts of the said commissioners for their own pay, and for the pay of supervisors, 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 road in such county respectively.

SECTION 8. The said commissioners shall meet on or before the first Monday in June next, or as soon thereafter as practicable, at such places 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. First meeting

SECTION 9. That from and after the passage of this act, Marsh run, from its junction with Oil creek, in the township of Troy, county of Crawford, to Ralph Clap's mill, in Athens township, county aforesaid, be and the same is hereby declared a public highway, and it shall and may be lawful for any person or persons, desirous of improving or using the navigation of said stream, to remove thereout all obstructions, cut across all bends, and widen such places as may be necessary, so that rafts may pass from said mill to Oil creek, except dams for mills, and other water works already built, on which dams any such person or persons as aforesaid, shall have full power to make slopes or shutes, as hereinafter described, and to keep the same in repair, for the passage of boats rafts and crafts: *Provided*, That such slopes or shutes be constructed as not to injure such dams. Part of Marsh run Crawford co declared a public highway

SECTION 10. Nothing in this act contained shall be deemed, taken, or understood, to prevent any person or persons owning or possessing lands on, or adjoining said stream, who, independent of the passage of this act, would have a right, under the general laws of this commonwealth, to erect a dam or dams across the said stream, from erecting such dam or dams: *Provided nevertheless*, That every such dam or dams be so constructed, with a proper slope or schute erected, the most convenient and proper part thereof, so that crafts may not be obstructed in passing down the said stream, which slope or schute shall be sufficiently wide to admit the craft that may be run on said stream, and be one foot lower than other parts of the dam, the surface of which slope or schute shall be composed of wood, or hewn timber well compact together, and the surface covered with plank, well secured to said slope timbers with guard logs of hewn timber, permanently placed in the side of said slope or schute, which slopes Dams Proviso

## LAWS OF PENNSYLVANIA

or schutes shall, for every foot in height, extend fifteen feet down thereon.

JAMES ROSS SNOWDEN,  
*Speaker of the House of Representatives.*

JOHN STROHM,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of March, one thousand eight hundred and forty-two.

DAVID R. PORTER.

[No. 43.]

## AN ACT

To incorporate the Springtown Horse Company, of Bucks 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 Springtown Horse company, in the county of Bucks, is hereby erected into a body politic and corporate, in deed and in law, by the name, style and title of "The Springtown Horse Company," and by the same name, shall have perpetual succession, and be able to sue and be sued, in all courts of law and elsewhere, and shall be capable in law and equity, to take and hold for the use of said company, any goods and chattels, or any sum or sums of money, by gift, grant, bargain, sale, will, devise or bequest, from any person or persons whomsoever, capable of making the same, and the yearly income of which shall not exceed three thousand dollars, the same to grant, bargain and sell, for the use of said company, and generally to do all and singular the matters and things, which shall be lawful for them to do, for the well being and due management of the affairs thereof.

SECTION 2. That this horse company shall consist of all such persons as are now members, or shall hereafter be admitted as such, agreeably to the by-laws of said company.

SECTION 3. That the officers of said company shall consist of one president, one vice president, one treasurer, and one secretary. The duties of the said offices shall be particularly set forth in the by-laws of said company.

Incorporated

Annual income

Members

Officers