

Burton, Andrew G. Curtin and Henry Bockerhoff, are hereby made corporators, who, with those who may be living, that were named in the original act, shall have all the like powers and perform the same duties as are herein prescribed, and the said company when incorporated, shall be entitled to the same powers and privileges, and be subject to the same restrictions as set forth in the act aforesaid: *Provided*, That the said company shall have the power to construct their road to a point at or near the head or commencement of the Bald Eagle and Spring Creek navigation. Proviso.

SECTION 3. That the tenth section of the said act is hereby repealed, but it shall and may be lawful for the Legislature to amend or repeal any of the provisions in said act, and rescind the powers therein granted, whenever, in their opinion, it shall be found injurious to the citizens of this Commonwealth, in such manner, however, that no injustice shall be done to the corporation, the said company shall have the right to hold two thousand acres of land, in Snow Shoe township, Centre county: *Provided*, That the stockholders in said company shall be jointly and severally liable in their individual estates and capacities, for all debts contracted for work and labor done, goods, wares, merchandize, country produce, materials and machinery furnished and delivered to said company, during the time they respectively hold their stock or are beneficially interested therein. Tenth section of original act repealed.
Proviso.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The fifteenth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 685.

A N A C T

To lay out a State Road in the county of Dauphin.

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* John C. M'Allister and Peter Fox, junior, of the township of Susquehanna, John Zinn and Henry Pepper, of the borough of Harrisburg, and John P. Rutherford, of the township of Swatara, in the county of Dauphin, be and they are hereby appointed commissioners to view, lay out and distinctly mark upon the ground a State road, of the width of fifty feet, until it intersects the State road leading from the Susquehanna river to the Pennsylvania State Lunatic Hospital, and from thence forty feet to Commissioners.
Route.

the end of said road, commencing in the borough of Harrisburg, in the county of Dauphin, at a point where the centre of the public lane, commonly called Brua's lane, intersects the street or public highway passing along the north-west side of the enclosed grounds on which is erected the basin of the Harrisburg water-works, in said borough, and from thence passing along, as far as practicable and judicious, on the summit of the ridge at which said road commences, and from thence to and ending at a point on the Harrisburg and Millerstown turnpike road, either north or south, not exceeding twenty-five perches from the brick house adjacent to said road, owned by John H. Fox, situate in the township of Susquehanna, in the county aforesaid; should any vacancy occur by inability, refusal or neglect of any of said commissioners, to attend and execute the duties enjoined by this act, the commissioner or commissioners in attendance shall be and is hereby authorized to appoint one competent and judicious person for each vacancy occurring, and shall have like power as though originally by this act appointed.

Meetings of commissioners.

SECTION 2. That the said commissioners shall meet on or before the first Monday in June next, or within ten days thereafter, at the court house in Harrisburg, and when so met, or any three of them, they shall before entering upon the duties of their appointment, take and subscribe an oath or affirmation before some justice of the peace, to execute the duties enjoined upon them by this act with fidelity and impartiality, and to the best of their judgment and abilities, which oaths or affirmations shall be attested to by said justice and by him delivered to the clerk of the court of quarter sessions of the county of Dauphin, who shall file the same in his office; said commissioners when organized as aforesaid, shall be and they are hereby authorized and directed to employ one surveyor, two chain-bearers and one axe-man, and shall then proceed to view and lay out said State road in strict conformity with the provisions contained in this act, and shall, as they pass along, cause the courses and distances of said road to be carefully noted, also all lanes, roads, lands and lines of lands said State road may pass over, and also plainly and carefully to mark the ground on the route the aforesaid State road shall be laid out upon, and in such manner as to enable supervisors and others readily to find and construct said road: *Provided*, That the said road shall not extend further north than the Asylum road.

Drafts to be made out and filed.

SECTION 3. That the said commissioners shall, on or before the first Monday in June next, make out two fair and accurate drafts of the location of said State road, showing its full breadth, also that of lanes and roads it may pass on or over, carefully noting on said drafts the courses and distances of said road, adjacent improvements, lands, lines of lands, lanes and roads as they occur, over which said road may pass, also the names of the respective owners of land, and the quantity of land, neat measure, said State road will take from each person owning lands on the route of said road, together with such other matters as may serve for explanation; and the damages occasioned by the opening of said road, as aforesaid, shall be assessed by viewers, to be appointed by the court of quarter sessions of the county of Dauphin, under the provisions of the general road laws of this Commonwealth, and shall be paid out of the county treasury in the usual way.

SECTION 4. That the clerk of the court of quarter sessions of the county of Dauphin shall, at the expense of said county, within ten days after delivery to him of the draft and report required by the third section of this act, make, or cause to be made, an accurate and true copy of said draft and report, each separate and under seal of office, and deliver them to the commissioners of the county of Dauphin, or in absence, to their clerk, who shall present them to said commissioners at their first meeting thereafter, whereupon the commissioners of said county of Dauphin shall, within ten days after, issue county orders on the treasurer of said county, in favor of the respective persons respectively named in the aforesaid report, for the amount of damages respectively assessed and found due to each person named in said report, and respectively set opposite their respective names, and shall cause their clerk forthwith to deliver said orders to the persons in whose favor respectively issued, which orders shall be paid on sight by the treasurer of the county of Dauphin, out of any county money then in his hands, or if none, then out of the first that may come into his hands thereafter.

Duties of clerk of court of quarter sessions.

SECTION 5. That the commissioners appointed by or pursuant to provisions in this act, and shall execute the duties therein enjoined, together with the surveyor they employ, shall each receive a per diem allowance of two dollars for each and every day necessarily spent in executing the duties enjoined by this act, and the per diem allowance the chain-bearers and axe-man shall receive, shall be one dollar each for each and every day they or either of them shall necessarily be employed by said commissioners, all of which shall be paid out of the treasury of the county of Dauphin, on county orders issued by the commissioners of said county upon the treasury thereof, in favor of said commissioners, surveyor, chain-bearers and axe-man, for the sums respectively due them.

Duties of commissioners.

SECTION 6. That on or before the first day of September next, the whole of that part of aforesaid State road north of the centre of the State road leading from the Susquehanna river to the Pennsylvania State Lunatic Hospital shall, to its full extent in length and width, by the supervisors of the township of Susquehanna, in the county of Dauphin, be opened, made, constructed and put into good and safe traveling order, by filling up the centre of said road with earth taken from the sides thereof, so that the face of said road in its width, when finished, shall be of circular form, all at the expense of said township of Susquehanna; and all the remaining part of said State road south of the centre of the aforesaid river and Hospital road shall, in all respects, to its full extent in length and width, by the county of Dauphin be opened, made, constructed and put into the same order and condition that is herein enjoined and required the northern part of said road shall be when finished, all at the expense of said county of Dauphin; that in order to carry said enactment into full effect, the commissioners of the county of Dauphin shall be and they are hereby authorized, directed and required to employ in such manner and upon such terms and conditions as in their judgment will be most advantageous to said county, a sufficient number of persons to do the labor requisite to fulfill the aforesaid enactment by the period stated, and to issue county orders on the treasurer of said county of Dauphin in favor of the persons they may so employ, for such sums of money as

Certain part of road to be opened by the first of September, 1854.

Duties of commissioners of Dauphin county.

shall, from time to time, become ^{*}due them, respectively; that for neglect or refusal by any of the commissioners of said county of Dauphin, or by any of the supervisors of the township of Susquehanna, in said county, to execute the duties enjoined upon them by the enactments in this act, each commissioner or supervisor so neglecting and refusing shall be fined by any justice of the peace in said county of Dauphin, before whom information shall be made forthwith, to pay a fine of not less than twenty-five nor more than fifty dollars, one-half whereof shall be paid to the person or persons who shall make information, and the other half shall be paid to the treasurer of the county of Dauphin, for the use of said county, and after said State road shall be opened, made and completed, as aforesaid, said road shall thereafter be repaired and kept in like good order and condition by and at the expense of the township or townships, borough or city it may be or hereafter come to be situate in.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate

APPROVED—The eighteenth day of May, one thousand eight hundred and fifty-four.

WM. BIGLER.