

of the city or county where any such application shall have been made; and that the notices to the party against whom a subpoena shall have issued, shall be given in some public newspaper printed in the city of Philadelphia, or in the proper county, or in some adjoining county, in case no paper is printed in the county where such application shall be made, for four successive weeks: And provided also, that when a trial by jury is to be had as to any controverted matters of fact, the same shall be in any of the above mentioned courts, when sitting, in the city or county where the fact is charged to have arisen.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That either of the parties, in any suit or action to be brought in pursuance of this act, or the act<sup>(1)</sup> to which this is a supplement, after any final sentence or decree given, may appeal therefrom to the supreme court, or to the high court of errors and appeals, as the case may require, upon entering into a recognizance, in manner and form, as is prescribed by the twelfth section of the act<sup>(1)</sup> to which this is a supplement, to the court or some judge thereof, from which such appeal shall be made.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That so much of the act, entitled "An act against incest,"<sup>(2)</sup> as is hereby altered or supplied, be and the same is hereby repealed.

Approved April 2, 1804. Recorded in L. B. No. 10, p. 9.

Note (1) Chapter 1387; 12 Statutes at Large p. 94.

Note (2) Chapter 120; 2 Statutes at Large p. 178.

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## CHAPTER MMCDXCVI.

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### AN ACT TO PROVIDE FOR OPENING AND IMPROVING A ROAD THROUGH IGOE'S NARROWS, IN THE COUNTY OF HUNTINGDON.

Whereas the citizens of Huntingdon county have, by their petition to the legislature, set forth the great advantages that would result to the community from the improvement of the road leading from the borough of Huntingdon through

Igoe's Narrows, towards the seat of government, which road is almost impassible in high water, by reason of an inaccessible rock, projecting from the hill towards the river, which could be remedied by wharfing a short distance.

Section I. (Section I, P. L.) 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 commissioners of the county of Huntingdon be, and they are hereby authorized and required to lay out and expend the sum of six hundred dollars towards opening, repairing and improving, by wharfing or otherwise, as the case may require, that part of the said road, through Igoe's Narrows, which lies below the house of Peter Vandivender; and the said commissioners of Huntingdon county, are hereby authorized and required, from time to time, to draw orders upon the treasurer of Huntingdon county for such parts of the said sum of six hundred dollars, as shall be necessary for the purposes aforesaid; and the treasurer of Huntingdon county shall have credit for the same in the settlement of his accounts with the state treasurer, for the balance due the state from the said county of Huntingdon, on account of the loan to the trustees of the same, by an act, entitled "An act to extend the powers of the commissioners of Huntingdon county, to assess and levy a further sum for erecting and completing the public buildings, and to grant a loan to the trustees of the same," passed the nineteenth day of April one thousand seven hundred and ninety-four;<sup>(1)</sup> and the county auditors shall audit, settle and adjust the accounts and disbursements of the said commissioners, in improving the said road, in the same manner as their accounts are settled in other cases.

Approved April 2, 1804. Recorded in L. B. No. 10, p. 10.  
Note (1) Chapter 1753; 15 Statutes at Large, p. 96.