

and expressed in the said act, as if they had been named therein, such commissioner or commissioners after being so appointed, conforming to and observing all matters and things as contained and prescribed or intended so to be in the act aforesaid.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That should it so happen that all the commissioners named in the fourth section of said act, be by decease, resignation or otherwise incapacitated or disinclined to discharge the duties therein enjoined, that then it shall be the duty of the county commissioners for the time being, and they hereby are authorized and required to appoint three fit and reputable persons, who after being so appointed shall be commissioners as lawfully as they could or would have been had they been named in the said act, and they shall conform to and observe all matters and things as contained in the act aforesaid.

Approved March 28, 1808. Recorded in L. B. No. 11, p. 254.
Note (*). Chapter 2855; Supra this volume, p. 621.

CHAPTER MMMIV.

AN ACT TO APPROVE THE REPORT OF THE COMMISSIONERS APPOINTED TO EXPLORE AND MARK OUT A ROAD, FROM THE POINT WHERE THE COSHECTON AND GREAT BEND TURNPIKE PASSES THROUGH MOOSIC MOUNTAIN, TO THE WEST LINE OF THE STATE, AND FOR OTHER PURPOSES.

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 report made by Henry Donnel, George Haines, and John Forster, and the report made by Samuel Dale, John Boyd and Francis King, commissioners appointed by the act of the fourth day of April, one thousand eight hundred and seven, to explore and mark out a road from the point where the Coshecton and Great Bend turnpike passes

through Moosic mountain, to the West line of the state, laid before the present legislature by the governor, be, and the same are hereby declared to be approved; and that the commissioners and trustees of the respective counties and county districts through which the reported road will pass, be, and they are hereby enjoined and required forthwith to appoint persons to open the same throughout the whole distance, of a width not less than twenty-five feet, conformably to the drafts accompanying the reports and the directions of the act of the fourth of April, one thousand eight hundred and seven.⁽¹⁾ Provided always nevertheless, that the courts of quarter sessions of the counties or the county districts annexed, through which the said road passes, on application being made for that purpose, may appoint viewers, as in other cases, to view and examine such parts of the said road as are complained of; and if on the report of the viewers, the court shall deem it proper, they are empowered to make such alteration in the course of the said road as shall appear to be for the public advantage; and also, to direct the supervisors of said counties to open and keep said roads in repair.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That one third part of the road tax on unseated land in the county of Luzerne, (to be taken from the money collected from the different townships, in such proportions as the county commissioners shall deem equitable;) the road tax on unseated lands in that part of Lycoming county that was detached from Luzerne by the act of April second, one thousand eight hundred and four,⁽²⁾ the whole of the road tax on unseated lands in the county districts of Tioga, Potter and M'Kean; one half the road tax on unseated land in Warren; and the road tax on unseated lands in the county of Erie, derived from the townships through which the said road passes, be, and they are hereby appropriated for two years, to defray the expense of opening the said road, through the said counties and county districts respectively; to be paid upon warrants drawn by the commissioners of the counties in favor of the persons appointed to open the said road.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the secretary of the commonwealth, be, and he is hereby required to cause copies of such parts of said drafts, as designate the routes in and through the said counties and county districts, to be, transmitted, together with a copy of this act, to the commissioners and trustees of the respective counties and county districts.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That it shall be the duty of the several treasurers of the counties through which said roads may pass, to keep a separate account of all monies received by them, as road tax on the unseated lands in each respective township; and on or before the first day of November, annually, furnish the board of commissioners with a statement of the amount, designating the sums received on the road assessments of each township; and it shall be the duty of the respective boards of county commissioners to open accounts with and credit each township with the amount received for its use; and on or before the first day of March, annually, draw orders on the county treasurer in favor of the respective supervisors then being, for the amount credited to their respective townships, charging the proper township with the amount so drawn.

Approved March 28, 1808. Recorded in L. B. No. 11, p. 256.

Note (1). Chapter 2810; Supra this volume, p. 473.

Note (2). Chapter 2506; 17 Statutes at Large, p. 846.

CHAPTER MMMV.

A SUPPLEMENT TO AN ACT, ENTITLED "AN ACT TO INCORPORATE TRUSTEES FOR THE MEADVILLE ACADEMY, AND TO ESTABLISH THE SAME." (1).

Whereas it has been stated to the legislature, that inconveniences have arisen under the act to which this is a supplement, because it is required therein, that at least fifteen trustees should be present to make a quorum, and that after va-