

by the authority of the same, That the proviso to the first section of an act, entitled "An act to alter and amend the several laws of this commonwealth relative to domestic attachments," passed on the eighteenth day of December, one thousand eight hundred and seven,⁽¹⁾ be, and the same is hereby repealed and made void; and that the oath required by the first section of said act, shall be administered either by the prothonotary of the court or before a justice of the peace, as the case may require.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That any Judge, alderman or justice of the peace within this commonwealth, shall be competent to administer the oath to the trustees appointed under the third section of the above recited act.

Approved April 4, 1809. Recorded in L. B. No. 11, p. 387.

Note (*). Chapter 2885; Supra this volume, p. 694.

CHAPTER MMMCXX.

AN ACT AUTHORIZING A REVIEW OF THE STATE ROAD LEADING FROM BEAVERTOWN, IN THE COUNTY OF BEAVER, TO WATERFORD IN THE COUNTY OF ERIE.

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 court of quarter sessions of Beaver and Mercer counties respectively, be, and they are hereby authorized to appoint six disinterested and reputable freeholders, to view such part of the State Road laid out from Beavertown in Beaver county, to Waterford, in Erie county, as passes through the said counties of Beaver and Mercer respectively, and if on the report of the said viewers, or any five

of them, to the court by whom they were appointed, making any alteration in the route or width of the said road, the court should approve and confirm the same, a draft of the courses and distances of such alterations shall be filed in the office of the clerk of said court, and a duplicate thereof transmitted to the secretary of the commonwealth, and the said road so laid out shall thereafter be part of the state road aforesaid, and that part rendered unnecessary thereby shall be vacated. And the expense of the viewers shall be paid by warrants drawn by the commissioners on the treasury of Beaver and Mercer counties respectively.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That the courts of quarter sessions of the peace for the counties of Mercer and Crawford, are hereby authorized and empowered to appoint such a competent number of fit persons as the said courts shall deem necessary, to review and make such alterations as shall be thought most eligible in the State road, lately laid out from the town of Mercer, in the county of Mercer, to the town of Meadville, in the county of Crawford, in the following manner, to wit: That the viewers who shall be appointed in pursuance of this act shall meet on a day certain to be mentioned and fixed on by the courts at that place where the post road which leads from the town of Mercer to the town of Meadville, crosses the line which divides the said counties, and from thence or as near thereto on the said line as under all circumstances and prudential considerations as shall be thought most beneficial; the viewers appointed for their respective counties, shall review and lay out a road from the place they shall fix upon on the line that divides the said counties to their respective seats of justice as they shall judge most judicious, both with respect to public utility and an economical application of the sums appropriated under the authority of the original act, and it shall be the duty of the persons to be appointed as aforesaid, after they shall have reviewed and laid out the parts of the said road

which lies within the respective counties to make out at least two plans or drafts of the parts laid out, one of which shall be deposited in the prothonotary's office, and the other in the commissioners office of the respective county.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the justices of the court of quarter sessions of each of the respective counties in this commonwealth, mentioned in the act, entitled "An act making appropriations for the improvement of certain roads in the western counties, and authorizing the courts of the respective counties to appoint fit persons to view and lay out the same," passed the tenth day of April, one thousand eight hundred and seven,⁽¹⁾ shall have full power and authority in all cases in which any person or persons who shall allege that he, she or they shall sustain damage in pursuance of any road laid out under the authority of the said act as respects its width or oblique direction through or over any in or out-lot in the vicinage of any towns mentioned in the said act, or any other improvement; that on any such person or persons petitioning any of the respective courts, stating in a plain intelligible manner in which any such petitioner may be affected in his or their buildings or other improvements, the courts of quarter sessions of the respective counties named in the aforesaid act shall have authority to exercise such powers in giving relief to any person or persons who has or may suffer unreasonable damage by any road laid out by virtue of the said act, as they have or may lawfully exercise under the authority of an act, entitled "An act for laying out and keeping in repair the public roads and highways within this commonwealth, and for laying out private roads," passed the sixth day of April, one thousand eight hundred and two.⁽²⁾

Approved April 4, 1809. Recorded in L. B. No. 11, p. 387.

Note (1). Chapter 2857; *Supra* this volume p. 625.

Note (2). Chapter 2298; 17 *Statutes at Large*, p. 151.