

as if they had been elected at the same time with the twelve directors chosen in the month of January, eighteen hundred and thirty.

Parts of
certain acts
repealed.

SECT. 3. *And be it further enacted by the authority aforesaid,* That such part or parts of the second section of the said act of third March, eighteen hundred and eighteen, and of the sixth section of the supplement to an act entitled "An act to incorporate the Kensington district in the Northern Liberties," passed April second eighteen hundred and twenty-two, as are hereby altered or supplied, be and the same are hereby repealed.

FRED'K SMITH, *Speaker*
of the House of Representatives.

WM. G. HAWKINS,
Speaker of the Senate.

APPROVED—the sixth day of April, A. D. one thousand eight hundred and thirty.

GEO. WOLF.

No. 151.

AN ACT

Authorising the laying out of certain state roads in Butler, Armstrong and Venango counties.

Commissioners named to lay out road from Butler to Graham's ferry.

SECT. 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 Michael M'Cullough, of Armstrong; and George W. Barker and Matthew Smith, of Butler county, be and they are hereby appointed commissioners to view, lay out and mark a state road from the borough of Butler, in Butler county, through Fairview and Lawrenceburg, to Thomas Graham's ferry, on the Allegheny river.

From Graham's ferry to Franklin.

SECT. 2. *And be it further enacted by the authority aforesaid,* That Thomas Graham, of Armstrong county, Joseph Porterfield and David Smith, of Venango county, be and they are hereby appointed commissioners to view, lay out and mark a state road from Thomas Graham's ferry, on the Allegheny river, by McCaslin's ferry and Porterfield's mills, to Franklin.

SECT. 3. *And be it further enacted by the authority aforesaid,* That Major John Templeton, of Armstrong county, Peter Murren, of Butler county, and James Martin, of Venango county, be and they are hereby appointed commissioners to view, lay out and mark the state road authorised by the act passed on the sixteenth of April, A. D. one thousand eight hundred and twenty-nine, and the supplement thereto, any thing contained in the said act to the contrary notwithstanding: *Provided also,* That it shall be in the power of the said commissioners, if they think proper, when they intersect the state road leading from Butler to Franklin, to terminate the road at the intersection, instead of laying out the said road to Evan's ferry on French creek, as provided in the act passed on the twenty-first day of December, A. D. one thousand eight hundred and twenty-nine.

Comm'rs to lay out road authorised by act of 16th April 1829, and supplement.

Proviso.

May terminate at intersection with Butler and Franklin road.

SECT. 4. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said commissioners, or a majority of them, appointed for each 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 at no point exceed five degrees, except at the crossing of 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 said 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 a 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 of the several views herein mentioned, shall receive a per diem allowance of one dollar and fifty cents each, for every day they shall be necessarily employed in performing the duties of this act, and in case any of the said commissioners shall perform the duties of surveyor, he shall receive fifty cents per day in addition, and the said commissioners are hereby authorised to employ one surveyor, at one dollar and fifty cents per diem, two chain-bearers and one axe-man, at a per diem allowance not exceeding seventy-five cents.

General regulations.

Oaths of comm'rs.

To view ground.

Scale.

Bridging.

Crossing of waters, &c.

To mark route.

Compensation.

Comm'r may act as surveyor.

Pay of assistants;

Drafts of location to be deposited in office of Sec. of Comm'th and with respective clerks of quarter sessions on or before 1st Jan. 1831.

SECT. 5. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said commissioners to make out a fair and accurate draft of the location of said roads, 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 roads may pass, on the day aforesaid, or as much sooner as practicable, which shall be a record thereof, and from thenceforth the said roads shall be to all intents and purposes public highways, and shall be opened and repaired in all respects as roads are opened and repaired, which are laid out by order of the courts aforesaid.

Adjustment of accounts.

SECT. 6. *And be it further enacted by the authority aforesaid,* That the accounts of the said commissioners, for their own pay and for the pay of surveyors, chain carriers and markers, shall be adjusted by the commissioners of the respective counties through which said roads shall pass, and paid by the treasurers thereof on warrants drawn in the usual way, in proportion to the length of the road in such county respectively.

Time and place of meeting.

SECT. 7. *And be it further enacted by the authority aforesaid,* That the said commissioners shall meet on or before the first Monday in May next, or as soon thereafter as practicable, at such place as a majority of them shall agree upon, and complete the location of said roads 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 authorised to fill the vacancy or vacancies by a suitable appointment.

Courts of qr. sess. to fill vacancies.

FRED'K SMITH, *Speaker*
of the House of Representatives.

WM. G. HAWKINS,
Speaker of the Senate.

APPROVED—the sixth day of April, Anno Domini one thousand eight hundred and thirty.

GEO. WOLF.