

## No. 168.

## A SUPPLEMENT

To an act entitled "An act to enable the Governor to incorporate a company for making an artificial road from the Spring House tavern, in Montgomery county, and thence to the borough of Northampton, in the county of Lehigh, and to the town of Bethlehem, in the county of Northampton, and for other purposes.

WHEREAS, by the twelfth section of an act entitled an act for the improvement of the state, passed on the twenty-sixth of March, one thousand eight hundred and twenty-one, the Governor is authorized and required to subscribe in behalf of the Commonwealth, for three hundred additional shares of the stock of the Spring House, Northampton and Bethlehem turnpike road company, and to draw his warrant on the State Treasurer, in favor of the president and managers of the said company, on certain conditions recited in the said twelfth section of the act aforesaid: *And whereas*, The said president and managers, owing to the embarrassed situation of their funds, have been unable to comply with the conditions required of them by the said act, nor have they any reasonable hope of being in a better situation: Therefore,

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 the Governor be and he is hereby authorized and required to subscribe, in behalf of the Commonwealth, three hundred additional shares of the stock of the Spring House, Northampton and Bethlehem turnpike road company, and it shall be the duty of the Governor to draw his warrant on the State Treasurer, in favor of the president and managers of the said company, for fifteen thousand dollars, as soon as they shall complete not less than two and an half miles or more, in addition to what is now completed of said road.

SECT. 2. *And be it further enacted by the authority aforesaid,* That so soon as the said company shall have perfected the said two and an half or more miles of said road, they shall give notice thereof to the Governor, who shall thereupon forthwith nominate and appoint three disinterested persons to view and examine the same, and report to him in writing whether the said road is so far executed in a masterly and workmanlike manner, according to the true intent and meaning of the act to which this is a supplement; and if their report shall in either case be in the affirmative, then

Preamble.

Governor authorized to subscribe for 300 shares of stock.

How and when paid.

Gov. to appoint viewers upon completion of 2½ miles.

Issue of license to take toll.

the Governor shall by license, under his hand and the lesser seal of the Commonwealth, permit and suffer the said president, managers and company to erect and fix so many gates and turnpikes, upon and across the said road, as will be necessary and sufficient to collect tolls and duties, at the same rates, in proportion to the distance, as is provided for in the act to which this is a supplement.

Repeal of part of original law hereby altered.

SECT. 3. *And be it further enacted by the authority aforesaid,* That so much of the act for the improvement of the state, passed the twenty-sixth of March, one thousand eight hundred and twenty-one, as relates to the twelfth section of the said act, to authorize the Governor to subscribe on behalf of the Commonwealth, for three hundred additional shares of the stock of the Spring House, Northampton and Bethlehem turnpike road company, be, and the same is hereby repealed.

Comm'rs appointed to lay out a state road from New Castle to Centreville.

SECT. 4. *And be it further enacted by the authority aforesaid,* That James Banks and Jacob Stoner, of Mercer county, and David McJunkin, of Butler county, are hereby appointed commissioners to lay out by courses and distances, a state road, beginning at the borough of New Castle, and thence through Harlingsburg to Centreville, and the said commissioners, or a majority of them, after taking an oath or affirmation before some justice of the peace to perform the duties enjoined on them by this act with fidelity, to carefully view the ground on which said road may pass, and lay out the same as near a straight line, between the aforesaid different points, as the nature of the ground and other important circumstances will permit, so that the vertical departure from a horizontal line, shall at no point exceed five degrees, excepting only at crossing ravines and streams, where by moderate filling and bridging the declination of the road may be preserved within that limit, and it shall be the duty of the said commissioners, or a majority of them, in choosing the ground, to have due regard to the crossing of waters; to the declination and nature of the ground; to the expense, and to all other circumstances affecting the route, so that by a judicious and skilful combination of them the route finally adopted may best promote the public good.

Their duties particularized.

Authority to appoint assistants.

SECT. 5. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the commissioners plainly and distinctly to mark upon the ground the route agreed upon for the road as aforesaid, in such 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 are hereby authorized to employ a surveyor, two chain bearers, and one axe-man, and it shall be the duty of the said commissioners to make out a fair and accurate draft of the location of the said road, noting thereon the courses and distances from point to point as they occur, the improvements passed through, and also the crossing of township and county lines, roads and

Draughts of location.

waters, with such other matters as may serve for explanation, one copy whereof shall be deposited in the office of the clerk of the court of Quarter Sessions in each of the counties of Mercer and Butler, on the first day of November next, or as much sooner as practicable, which shall be a record thereof, and from thenceforth the said road shall be to all intents and purposes a public highway, 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; and each of the said commissioners shall receive the sum of one dollar and fifty cents for each day they shall be necessarily employed in said work, together with a reasonable allowance for a surveyor, and a per diem allowance, not exceeding seventy-five cents, for chain carriers and axe man, which shall be paid by the respective counties of Mercer and Butler, in proportion to the distance of road in each county, by their county treasurers, on orders drawn by the commissioners for that purpose.

Where and when to be deposited.

Pay of commissioners, & allowance for assistants.

SECT. 6. *And be it further enacted by the authority aforesaid,* That the commissioners of Perry county be, and they are hereby authorized and required to settle and adjust the accounts of Solomon Bower and Henry Mumper, commissioners appointed by the twenty-eighth section of the act of fourth May, eighteen hundred and thirty-two, entitled An act to authorize the laying of a state road in Lancaster and Berks counties, and for other purposes; and to pay the said Solomon Bower and Henry Mumper one dollar and fifty cents each out of the county funds, for each and every day necessarily spent in the discharge of the duties imposed on them by said act.

Com'rs. of Perry co. authorized to adjust certain accounts of S. Bower and H. Mumper.

SAM'L. ANDERSON,  
*Speaker of the House of Representatives.*

THO'S. RINGLAND,  
*Speaker of the Senate.*

APPROVED—The ninth day of April, Anno Domini, eighteen hundred and thirty-three.

GEO. WOLF.

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No. 169.

AN ACT

Authorizing the Governor to incorporate two companies to build bridges over the river Schuylkill in Berks county.

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 David Bright, Jacob Gehr,