

forty-one, be and the same are hereby granted to and conferred on the Mutual fire insurance company of Sinking Springs, Berks county.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of February, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 43.

A N A C T

Authorizing the laying out of a state road from the Three Springs, on the Bald Eagle and Punxatawney State road, in the county of Centre, to the road leading from Ebensburg to Philipsburg, at or near the house of Richard Davis, in the county of Clearfield.

SECTION 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 Fergusson, Samuel Whiteside and Samuel Hagerty, of the county of Clearfield, be and they are hereby appointed commissioners, to view and lay out a state road from the Three Springs, on the Bald Eagle and Punxatawney state road, in the county of Centre, to the road leading from Ebensburg to Philipsburg, at or near the house of Richard Davis, in the county of Clearfield, by the nearest and best route. Commissioners.

SECTION 2. It shall be the duty of the said board of commissioners, or a majority of them, after taking and subscribing an oath or affirmation, before a justice of the peace, to perform the duties enjoined upon them by this act, with impartiality and fidelity, to carefully view the ground over which said road may pass, and to lay out the same as near to a straight line between the aforesaid points, as the nature of the ground will permit, so that the vertical departure from a horizontal line shall at no point exceed five degrees, except only at crossing ravines and streams, when by a moderate filling or bridging the declination of the said road it may be preserved within that limit. Duty of commissioners.

SECTION 3. That it shall be the duty of said commissioners, plainly and distinctly to mark the ground on the routes agreed upon for the roads 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 said commissioners are hereby authorized to employ one surveyor, at a per diem allowance not exceeding two dollars, and two chain carriers, at a per diem allowance not exceeding one dollar; and the said commissioners, respectively, shall receive a per diem allowance, not exceeding one dollar, for each and every day necessarily spent in the discharge of the duties enjoined by this act, to be paid in manner and form as hereinafter directed. Route. Surveyor, &c. Pay.

Draft. SECTION 4. That it shall be the duty of said board of commissioners, to make out a fair and accurate draft of the location of said road, respectively, noting thereon the courses and distances as they occur, the improvements passed through, and also the crossing of 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 offices of the clerks of the courts of the respective counties in which said road may be laid out, on the day aforesaid, 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 to the breadth, and repaired in all respects as roads are opened and repaired, which are laid out by order of the courts aforesaid.

Accounts. SECTION 5. That the accounts of the said commissioners, for their own pay, and the pay of surveyors, chain carriers, and so forth, shall be made out and returned to the commissioners of such counties, in which said road may be located, in proportion to the time spent in the respective counties in locating said road, and that they be paid out of the treasury of each of the respective counties, on warrants drawn in the usual way.

Meeting. SECTION 6. That the said commissioners shall meet on or before the first Monday in August next, or as soon thereafter as practicable, and complete the review of said road as soon as practicable; and if any vacancy or vacancies shall happen, by resignation or otherwise, the court of quarter sessions of the county where any vacancy or vacancies occur, shall fill said vacancy or vacancies, by the appointment of suitable persons, who shall perform said duty.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of February, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 44.

AN ACT

Authorizing the canal commissioners to examine and adjust the claim of the heirs of James Trimble, for damages done their property.

SECTION 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 canal commissioners be and they are hereby authorized and required to examine, by the inspection of at least one of their number, the claim of the heirs of Doctor James Trimble, late of Huntingdon county, deceased,