

moneys for the opening and improving of any roads that are or may hereafter be laid out upon said tracts; and to secure the faithful performance of the duties herein imposed, the said supervisors shall execute and deliver to the county treasurer their bonds with sureties, in any sum which shall be considered sufficient by the said treasurer, conditioned for the faithful expenditure of such moneys, for the above specified purpose; and it shall or may be the duty of any person, feeling themselves aggrieved by the misappropriation of such moneys, or negligence of said supervisors to perform such duties, to institute suit upon the said bond or bonds; and upon recovery of the penalty of the said bond or bonds, shall be considered the measure of damages, and be recovered as debts of like amount are by law recoverable; which sum, after deducting the expense of prosecution, including one dollar per day for the time of the complainant or prosecutor, shall be applied to the opening and improving of said roads.

Duties of supervisors.

SECTION 2. That it shall be the duty of the said supervisors of the townships of Franklin and Leroy, upon receiving the money as aforesaid, to go on to the roads upon said tracts of land, and allot to the lowest and best bidder, such amount of work as they have funds to perform, after deducting one dollar per day for their services; and the said supervisors shall give at least ten days public notice of the time and place of such allotment of work, by written or printed advertisements, in the most public places in said townships and vicinity.

Parts of former law repealed.

SECTION 3. That the ninth section of an act, entitled "An Act authorizing the laying out of a state road from Beaver county, to the east end of the Mahoning bridge, opposite the town of Edenburg, in Mercer county, and for other purposes," passed the sixth day of May, one thousand eight hundred and forty-one, be and the same is hereby repealed, so far as it relates to Franklin township, Bradford county.

JAMES ROSS SNOWDEN,

Speaker of the House of Representatives.

WILLIAM BIGLER,

Speaker of the Senate.

APPROVED—The eighteenth day of March, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 90.

AN ACT

Relating to public schools in the borough of Kutztown, in the county of Berks.

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 school directors of the borough of Kutztown, in the county of Berks, shall not hereafter authorize to be levied, on property, and other things now made taxable by the laws of this commonwealth, for com-*

mon school purposes, a sum less than equal to no more than double the amount which the said district is entitled to receive out of the annual state appropriation, without the consent of the taxable inhabitants of the said district, first obtained in town meeting; which shall be convened and conducted under the provisions of the sixth section of the act of the thirteenth June, one thousand eight hundred and thirty-six, entitled "An Act to consolidate and amend the several acts relative to a general system of education by common schools."

SECTION 2. In addition to the tax provided for in the foregoing section, the said directors are hereby authorized to assess upon each scholar that shall attend any of the public schools in the said district, any sum not exceeding fifty cents per quarter, at the discretion of said directors, to be paid by the parent, guardian, master, or other person having charge of such scholar, in proportion to their ability to pay, in such manner as is hereinafter provided. Additional tax.

SECTION 3. It shall be lawful for the said directors to demand and receive, from any parent, guardian, master, or other person having charge of any children in said district, that they wish to send to any of said schools, the amount of tax assessed upon each scholar, at the commencement of each quarter; and if any parent, guardian, master, or other person having charge of any such children, shall neglect or refuse to pay said tax, on or before the expiration of the quarter, the president of the board of directors shall issue his warrant to the district collector, authorizing him to collect the same; and the said collector shall have like powers to enforce the payment of the said tax, as is given him by the seventh section of the said act of the thirteenth June, one thousand eight hundred and thirty-six, mentioned in the first section of this act, to collect the tax assessed upon property for school purposes, and shall receive the like compensation for his services. Collection of tax.

SECTION 4. The said directors shall have full power to exonerate any parent, guardian, master, or other person having charge of any children, from the payment of said tax, if they shall be satisfied of their inability to pay the sum; but in no case shall their children be excluded from said schools, but be admitted free of charge. Exoneration.

SECTION 5. The said directors may allow to the treasurer of the said district, a compensation for his services: *Provided*, That the said compensation shall not exceed the sum of ten dollars per annum. Treasurer's pay.

SECTION 6. All laws relative to the common school system, which are inconsistent with the provisions of this act, are hereby repealed, so far as they relate to the borough of Kutztown, in the county of Berks. Repeal.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The eighteenth day of March, one thousand eight hundred and forty-four.

DAVID R. PORTER.