

and to convey the same to the purchaser or purchasers, in fee simple : *Provided*, That before such sale shall be perfected, the same shall be approved by the orphans' court of the county aforesaid ; and before the execution of the conveyance aforesaid, the said executors shall give bond with approved surety in such sums as said court may require, conditioned for the faithful application of the moneys arising from said sale, according to the provisions of the last will and testament of said testator.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The fifth day of April, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 136.

A SUPPLEMENT

To the act, entitled “An Act authorizing the laying out and locating a state road from the borough of Elizabethtown, in Allegheny county, to the borough of Brownsville, in Fayette county, and for other purposes,” passed thirteenth day of April, one thousand eight hundred and forty-three.

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 provisions of the act to which this is a supplement, from the fifteenth to the twenty-seventh sections, inclusive, be and the same are hereby extended to the counties of Bradford, Potter and Tioga.

Certain powers
extended to Brad-
ford, Potter and
Tioga counties.

SECTION 2. In case any difficulty shall arise between any two or more boards of commissioners, in regard to laying out and opening any continuous road or highway through different townships, and they cannot agree on the same, either board shall have the right to call upon the commissioners of two adjoining townships, whose duty it shall be to go upon the ground, and if after due examination they shall deem said contemplated road necessary, they shall proceed to lay out and locate the same; and the action of said commissioners shall be as valid as if said road had been laid out by the commissioners of the township through which said road shall pass: *Provided*, That the said commissioners shall receive one dollar per day, each, for their services while thus employed, to be paid by the respective townships through which such road passes: *And provided, further*, That the commissioners elected under the act to which this is a supplement, are hereby constituted overseers of the poor, in like manner as supervisors are now by law constituted: *And provided further*, That the said commissioners shall be elected at the usual time and place of holding township elections in the said counties.

Commissioners'
pay.

SECTION 3. Any person who shall be elected commissioner as afore- Penalty for re- said, and shall neglect or refuse to serve, shall incur a fine of twenty fusal to serve. dollars, to be collected as debts of similar amount are by law recover- able; and any person appointed pathmaster, who shall neglect or refuse to serve, shall incur a fine of five dollars, to be collected as aforesaid.

SECTION 4. That from and after the passage of this act, it shall be Tioga county the duty of the commissioners of the county of Tioga, to repair all bridges. bridges erected by the county, and to pay the expenses of such repairs out of the county treasury, in the usual manner.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The fifth day of April, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 137.

AN ACT

To authorize the governor to incorporate the Hollidaysburg and Bennington railroad and mining company.

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 Robert Toland and John Bingham, of the city of Philadelphia, John Commissioners. Cresswell and General A. P. Wilson, of the borough of Huntingdon, John Porter and John Gemmill, of the borough of Alexandria, John Storm and Joseph M'Donald, of the county of Cambria, Doctor Chas. O'Freil, Gilbert L. Lloyd, and Zachariah G. Brown, of the borough of Hollidaysburg, John Freeman and Doctor Samuel Smith, of the city of Pittsburg, or any three of them, be and they are hereby appointed commissioners to perform the several things hereinafter mentioned, that is to say: They shall procure books in which shall be entered as follows: We whose names are hereunto subscribed, do promise to pay to Form of subscrip- the president and directors of the Hollidaysburg and Bennington rail- tion. road and mining company, the sum of fifty dollars for every share of stock set opposite to our names, respectively, in such manner and proportions, and at such times and places, as shall be determined on by the president and directors of said company, in pursuance of an act of the general assembly of this commonwealth, entitled "An Act to authorize the governor to incorporate the Hollidaysburg and Bennington railroad and mining company." Witness our hands this day of , in the year of our Lord, one thousand eight hundred and .

SECTION 2. It shall be the duty of said commissioners, or any two of Subscriptions. them, to give notice in one paper printed in the city of Philadelphia, or