

shall, after the passage of this act, be paid to the treasurer of the said city, for the use of the poor of said city, as hereinbefore provided.

Repeal.

SECTION 20. That so much of the laws of this commonwealth relating to the poor, and the election of auditors, as are by this act altered or supplied, be and the same is hereby repealed, so far as they affect the said city of Allegheny.

JAMES ROSS SNOWDEN,  
*Speaker of the House of Representatives.*

WILLIAM BIGLER,  
*Sptaker of the Senate.*

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

DAVID R. PORTER.

#### No. 159.

#### AN ACT

Relating to roads, highways and bridges in the counties of Warren, Venango and M'Kean, and for other purposes.

Commissioners.

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 qualified citizens of the different townships in the counties of Warren, Venango and M'Kean, shall, at their annual township elections, in the year one thousand eight hundred and forty-five, elect three persons, who shall be styled commissioners of roads and highways.

Meetings.

Classification.

SECTION 2. That within ten days after said election, the persons so elected commissioners, shall meet at the office of the township clerk in each township; and the said clerk, or in his absence, the clerk of the election, shall proceed to class, by ballot, said commissioners, and one shall be classed and serve three years, and one shall be classed and serve two years, and one shall be classed and serve one year; and as soon as the clerk shall have completed the classification, he shall administer an oath or affirmation to each of said commissioners, faithfully and impartially to discharge the duties of the said office: and the said clerk shall record the same on the township records; and the qualified citizens in each of said townships as aforesaid, shall, annually at the township elections thereafter, elect one person for road commissioner, who shall hold his office for three years; and if any vacancy shall occur in the said board of commissioners, such vacancy shall be supplied by appointment made by the said board of commissioners, until the next election.

Duty of commissioners.

SECTION 3. That it shall be the duty of the said commissioners, as soon as they have been qualified as aforesaid, to notify the assessor of the township, who was the last assessor, and made the assessment, to meet them at some convenient place to be named by said commissioners, on a day certain; and the said commissioners and assessor when so

met, shall proceed to draw off, on a duplicate, the names of all of the taxables in said township, together with all the property of each and every such taxable, assessed by said assessor for county rates and levies, and place the same valuation to each and every piece of property, as was made by said assessor for county purposes; and the said assessor shall certify the same, under his hand, to be a true copy of the assessment for the year \_\_\_\_\_, in said township.

SECTION 4. That the said commissioners shall lay such tax upon the property so assessed, as they shall deem necessary for road and bridge purposes for the current year, not exceeding five mills on every dollar of valuation so made; but if the same should all be expended, or all that was then available, and the same should be insufficient to repair the roads, or keep the same in good repair, then an additional sum, not exceeding five mills on every dollar of valuation so made, may be raised by said commissioners for that purpose; and the said commissioners may, in each and every year, if they find the same necessary, collect a part of the road tax so laid, not exceeding twenty-five per cent. in money, for the purpose of paying the expenses of said roads or materials, and allow for paying the expense of laying out roads in said townships. Tax.

SECTION 5. That the said commissioners shall, as soon as they are organized, lay out the several townships into districts, as many as they shall deem necessary, and shall appoint one person in each district, who shall be called road master, who shall continue to hold said office of road master, until the next annual township election; at which time and annually thereafter, the qualified citizens of the different townships in the counties aforesaid, shall proceed to elect one person in each district so laid out by the said commissioners, to the office of road master; and said commissioners shall furnish each of said road masters with a list of the taxables in his district, together with the amount of tax to be paid by each person; and the said road master shall notify each person named in his duplicate, of the time and place that he intends to work on said roads, and if the person so notified, shall refuse or neglect to work, as directed by said road master, then the said road master shall make return to the said commissioners, forthwith, of every such delinquent. Districts.  
Road master.  
Annual election.

SECTION 6. That it shall be the duty of the said commissioners to take the general charge and supervision of all the roads and bridges in each of the said townships in said county, (county bridges excepted,) except so far as Warren county is concerned, and to lay out and alter the same, at the request, in writing, of the citizens of said township, if they shall deem the same necessary, and shall furnish the township clerk with a return of all such roads so laid out or altered, in the same manner as viewers now make report to the court of quarter sessions; and the said clerk shall keep a record of all such roads so laid out or altered; and when any road is wanting, which shall pass out of any township into any other township, then the same shall be laid out and agreed upon by a majority of the commissioners in the townships through which said roads pass. Duty of commissioners to take charge of roads.

SECTION 7. That the said commissioners are hereby authorized to issue their warrant to the constable of the township, for the collection of any money that may be due from resident taxables, which warrant shall be made returnable in twenty days, to the treasurer of the township; and the constable of the township is hereby required to execute the same under the same regulations, and proceed in the same manner, and have like fees as the said constables now have and do perform. Collection of tax.

under executions, except the defendant or delinquent shall not have the benefit of appraisal and stay, as is now granted by a law of this commonwealth on executions.

Unseated lands.

SECTION 8. That the said commissioners shall, in the month of November in each and every year, make out a list of all unseated lands, in each of the said townships, on which the road tax of the present year remains unpaid, and one of the said commissioners shall, in the month of November aforesaid, make return of said unseated lands to the commissioners of the county, and certify the same; and the same proceedings shall be had upon the collecting the tax on said lands, as is now had upon unseated lands, when the returns are made by the supervisors of the several townships in said counties.

Moneys how paid.

SECTION 9. That all moneys raised in said township, by tax or otherwise, for road purposes, shall be collected and paid to the treasurer of the proper township, and when expended, it shall be done by the direction of the said road commissioners, and drawn out of the treasury by orders signed by two or more of said commissioners, on the treasurer of the said township; and the said commissioners shall annually settle their accounts with the auditors of the township, as supervisors now do under the existing laws; and the office of supervisor in the several townships of Warren, Venango and M'Kean counties, are hereby abolished.

Pay.

SECTION 10. That the compensation of said commissioners, treasurer and township clerk, shall be fixed by the auditors of the townships, not exceeding one dollar per day for the said commissioners; and the road masters of the several districts shall be allowed the same daily pay as is allowed to those who work out their tax are allowed and paid per day; and the assessor shall be allowed and paid one dollar for each day necessarily employed with said commissioners, in making out the said transcript and certifying to the same, which duty the said assessor is hereby required to perform.

Annual settlement of accounts.

SECTION 11. That the said road masters are hereby required to see that the tax in their respective districts are worked out, as soon as may be, after they shall receive their duplicates from the said commissioners, and shall annually, in the month of November in each and every year, when notified by said commissioners, meet with said commissioners and settle their respective accounts; and any failure on the part of said road masters, to settle their respective accounts, as required by this act, shall subject the one so neglecting, to a fine of twenty dollars, to be recovered as debts of equal amount are by law recoverable, before a justice of the peace, at the suit of the proper treasurer of the township, on complaints made by said commissioners to said treasurer.

Remedy of grievances.

SECTION 12. That whenever any person is aggrieved, by reason of any new road being laid out or altered by the said commissioners, the person so aggrieved, may make complaint to two justices of the peace of said township, or any other two justices of the peace living more convenient to the commissioners, who shall send a notice to said commissioners to meet at a place fixed in said notice; and said justices shall hear the complaint and the allegations of the parties, and decide as to them justice and equity may appear to belong—and such decision shall be final and conclusive; the costs to be paid by the complainant or township, as the case may be, and charged and allowed as costs for similar services before justices of the peace are allowed: *Provided*, That either party may sue out a writ of certiorari, in the manner prescribed by existing laws, to remove the same to the court of quarter sessions of the proper county.

SECTION 13. That the said commissioners of each township, elected <sup>Overseers of the</sup> or appointed in pursuance of this act, shall, in addition to their duties poor. as commissioners of roads and highways, perform the duties of overseers of the poor, of the township where the poor are a township charge, and shall be subject to the same responsibilities and the like penalties, that are now imposed upon the supervisors of said townships.

SECTION 14. That the existing road laws of this commonwealth, so Repeal. far as they are supplied or altered by this act, be and the same are hereby repealed, so far as relates to Warren, Venango, M'Kean counties.

JAMES ROSS SNOWDEN,  
*Speaker of the House of Representatives.*

WILLIAM BIGLER,  
*Speaker of the Senate.*

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

DAVID R. PORTER.

No. 160.

## AN ACT

Relating to certain volunteer companies.

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 from and after the passage of this act, the rifle company of the borough <sup>Name of "Perry</sup> of Germantown, in the county of Perry, called the "Perry Hornet Rifle- <sup>Hornet Rifle-</sup> men," shall be and it is hereby changed into an infantry company, to <sup>men" changed.</sup> be called the "Germantown Guards;" and it shall be the duty of the adjutant general to furnish, upon the order of the proper brigade inspector, out of any of the arsenals of this commonwealth, where a sufficient number of unappropriated arms and accoutrements may be had, the usual stand of muskets and accoutrements for the use of the said company, under the restrictions, provisions and securities as are now provided by law: *Provided,* That before the said company shall receive <sup>Proviso.</sup> any of the arms and accoutrements as provided for in this act, the arms and accoutrements heretofore received by said company, shall first be returned, if not already returned, to the proper person duly authorized to receive the same.

SECTION 2. That from and after the passage of this act, the National <sup>National Grays,</sup> Grays, a volunteer rifle company, in the county of Chester, shall be <sup>Chester county,</sup> exempt from parading or drilling with any regiment or battalion, of <sup>exempted from</sup> militia, except at the option of the members of said company, but in all <sup>parading with</sup> other respects to remain subject to the provisions of the militia laws of <sup>militia.</sup> this commonwealth: *Provided,* The said National Grays shall meet the proper number of days required by law, in their company capacity, and that the said company is hereby authorized to elect a third lieutenant