

No. 233.

A SUPPLEMENT

To an act, entitled "An Act to extend the charter of the Bank of Delaware County, and for other purposes."

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 second and third sections of the act passed the eighteenth day of April, Anno Domini, one thousand eight hundred and forty-three, entitled "An Act to extend the charter of the Bank of Montgomery County," be and the same are hereby extended to the Bank of Delaware County.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

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

DAVID R. PORTER.

No. 234.

AN ACT

To view and lay out a road from the village of East Brook, Mercer county, to the west end of White's bridge, across the Shenango, in Beaver county, and for other purposes.

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 Commissioners. Joseph Pollock, James Oliver, William Dickson, Thomas Fisher and Thomas Wilson, be and they are hereby appointed commissioners, to Location of road. view and lay out a state road from the village of East Brook, in Mercer county, by way of Fisher's, M'Crearey's, Zeigler's and Pearson's mills, following as near as practicable the valleys of East Brook and Neshannock, through the borough of New Castle, to intersect the road leading to Mahoning, at the west end of White's bridge, in Beaver county.

Oath. SECTION 2. That it shall be the duty of said commissioners, respectively, after taking and subscribing an oath or affirmation before a justice of the peace, to perform the duties enjoined on them by said 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, and other important circumstances, will permit, so that the verticle departure from a hori-

zontal 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 said road it may be preserved within that limit.

SECTION 3. That it shall be the duty of said commissioners, respectively, plainly and distinctly to mark the ground on the route agreed upon for the road aforesaid, in such manner as to enable the supervisors readily to find the same for the purpose of fulfilling the duties in this act enjoined; the commissioners, respectively, are hereby authorized to employ one surveyor, at a per diem allowance not exceeding two dollars; and two chain carriers and one axeman, at a per diem allowance not exceeding one dollar each; and the said commissioners, respectively, shall receive a per diem allowance of one dollar and fifty cents, for each and every day necessarily spent in discharge of the duties enjoined by this act, to be paid in manner and form as hereinafter directed; *Provided*, That no person acting as commissioner under the provisions of this act, shall receive the compensation of surveyor, in addition to the per diem allowance of said commissioners. Mark route.
Pay.
Proviso.

SECTION 4. That it shall be the duty of the said commissioners to make out fair and accurate drafts of the location of said road, 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 twentieth day of January next, and one copy in the office of the clerk of the court of quarter sessions, in said county, on or before the said twentieth day of January next, 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 repairs, in all respects as roads are opened and repaired, which are laid out by order of the court of quarter sessions aforesaid. Drafts.

SECTION 5. That the account of said commissioners, for their own pay and pay of surveyors, chain carriers, shall be made out and returned to the commissioners of said county, in which the road is located; and that they be paid out of the treasury of the county, on a warrant drawn in the usual way, in proportion to the distance of said road in each county. Accounts.

SECTION 6. That the said commissioners shall meet at the house of James Leslie, in New Castle, on or before the first Monday in September next, or as soon thereafter as practicable, and complete the location as soon as possible; and if any vacancy shall happen, by resignation or otherwise, in said commissioners, the court of quarter sessions of the county of Mercer shall fill said vacancy by the appointment of suitable persons, who shall perform said duty. Meeting.
Vacancy.

SECTION 7. That so much of the third section of an act, entitled "An Act to authorize the governor to incorporate the Buckingham and Doylestown turnpike road company, and for other purposes," as requires the commissioners appointed by said section to make return of said survey, with the courses and distances, within six months from the date of such concurrent law being passed by the state of Ohio, be and the same is hereby repealed. Buckingham and Doylestown turnpike road company.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

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