

No. 371.

AN ACT

Relative to roads and bridges in the counties of Crawford, Clearfield and Greene.

Election of supervisors. 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 voters of the different townships in said counties shall, on the third Friday of March, one thousand eight hundred and forty-five, at the township election, elect three persons, who shall be styled supervisors of roads and bridges.

Classification. SECTION 2. Within ten days after said election, the persons so elected supervisors shall meet at the office of the township clerk, or in his absence at the clerks of the elections, who shall proceed to class, by lot, the said supervisors, one to serve three years, one to serve two years, and one to 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 supervisors, faithfully and impartially to administer the duties of said office, and shall record the same in the township records; and the qualified voters, in each of said townships, shall, annually, at the township elections thereafter elect one person for supervisor, who shall hold his office for three years; and if any vacancy occurs, such vacancy shall be supplied by appointment by the board until the next election.

Oath.

Vacancy.

Assessment. SECTION 3. As soon as the supervisors are qualified, they shall notify the assessor of the township, who made the last assessment, to meet them at a day and place to be named by them, and when so met, they shall proceed to draw off, in a duplicate, the names of all the taxables in said township, together with all the property of each taxable assessed by said assessor for county rates and levies, and place the same valuation on such as was placed for county purposes, and the said assessor shall certify the same to be a true copy of the last assessment of said township.

Tax. SECTION 4. The supervisor shall lay such tax on the property so assessed, as they may deem necessary for road and bridge purposes for the current year, not exceeding one-half cent in every dollar of valuation so made, but if the same shall all be expended, and unavoidable repairs be required, the supervisors may raise an additional sum for that purpose not exceeding one per cent. in any one year in the whole, and no taxable shall be assessed with less than one days work per year; and if the supervisors find it necessary, they may each year collect a part of the tax not exceeding twenty-five per cent. in money to defray the expenses of said roads or bridges, and also for laying out roads in said townships.

Road districts to elect roadmaster. SECTION 5. Every sub-school district in the respective townships shall be a road district, and shall every year, at the same time they elect school committee or trustees, also elect one person as roadmaster in said district, and the supervisors shall furnish each roadmaster with a list of the taxables in his district, together with the amount of tax to be

paid by each ; and the roadmaster shall notify each person named in his duplicate, of the time and place he intends to work on said roads, and if the person so notified neglects or refuses to work as directed, such delinquent shall be returned by the roadmaster forthwith to the supervisors ; and in case any roadmaster shall refuse to act or to perform the duties enjoined upon him, he shall pay a fine not exceeding five dollars, to be collected before a justice as other sums of like amount—and the supervisors shall appoint another to serve in his place until the next election.

SECTION 6. The supervisors are hereby authorized to issue their Warrants. warrant to the constable of the township, for the collection of any money that may be due from resident taxables, returnable in twenty days to the treasurer of the township ; and the constable is hereby required to execute the same, under the same regulations and in the same manner and for like fees as the said constables now do perform and have in case of executions, except that the defendant or delinquent shall not have the benefit of the appraisement and stay, as is now granted on executions.

SECTION 7. It shall be the duty of the supervisors to take charge of Roads and bridges all the roads and bridges in the county, (except county bridges,) and to lay out and alter the same at the request, in writing, of the citizens of said township, if the supervisors deem it necessary, and they shall furnish the town clerk with a return of all such roads laid out or altered, in the same manner as viewers now make report to the court of quarter sessions ; and said clerk shall keep a record of all roads so laid out or altered, and return the same, every court, to the clerk of the quarter sessions, who shall record the same in the same manner as reports of views are now recorded ; when any road is wanting, which shall pass out of any township into another township, the same shall be laid out and agreed upon by a majority of the supervisors of the townships through which said road pass, and in all cases, when practicable, the roads shall be laid out on the dividing lines of tracts, so as to do as little injury as possible to private property.

SECTION 8. The said supervisors shall, in the month of December of each year, make out a list of all unseated lands in each township on which the road tax of the current year remains unpaid ; and one of said supervisors shall, in said month of December, make return of said unseated lands to the supervisors of the county, and certify the same ; and the same proceedings shall be had for collecting the tax on said lands as are now had where the returns are made by the supervisors. Unseated lands.

SECTION 9. All moneys raised in said townships, by tax or other- Tax, how paid. wise, for road purposes, shall be collected and paid to the treasurer of the proper township ; and whenever there is money, either in the township or county treasury for the purpose, public notice shall be given by the said road supervisors, that contracts will be let out at a certain time and place to be mentioned, to make or repair such portions of the road, or to build such bridges according to specified plans as may be necessary, and at the time and place mentioned, the same shall be put up at public vendue or outcry, and let to the lowest bidder ; and when the same is fully completed, according to the proposed plan, the same shall be paid for by orders drawn by two or more of the supervisors, on the treasurer.

SECTION 10. The said supervisors shall, annually, settle their Settlement of accounts with the auditors of the township, as supervisors now do under counts.

existing laws, and the said supervisors shall perform the several duties, and be subject to responsibilities heretofore imposed on the supervisors by existing laws.

Pay. SECTION 11. The compensation of said supervisors and treasurer shall be fixed by the auditors of the townships, not exceeding one dollar per day for said supervisors, and the roadmasters of the several districts shall be allowed the same daily pay as is allowed to those who work out their tax; and the assessor shall be allowed and paid one dollar for each day necessarily employed with the supervisors, in making out the transcripts and certifying the same, which duties the said assessors are hereby required to perform.

Work out taxes. SECTION 12. The said roadmasters are hereby required to have the tax, in their respective districts, worked out as soon as may be after they receive their duplicates from the supervisors, and not later than the first of August, except unavoidable repairs or the cutting out of new roads; and they shall annually, in the month of November of each year, meet with the said supervisors and settle their respective accounts; and any failure on part of said roadmasters to settle, or to work out their taxes as above stated, shall subject those neglecting to a fine of twenty dollars, to be recovered as other fines of equal amount are by law recoverable, before a justice of the peace, at the suit of the proper treasurer of the township, on complaint made by the supervisors to said treasurer.

Exonerations. SECTION 13. It shall be the duty of the road supervisors, and of all collectors of any other taxes whatsoever, to make return to the county commissioners of any exonerations claimed by them, on or before the thirty-first day of December in each year; and it shall not be lawful for said county commissioners to grant any exonerations after that time, nor for the county treasurer to sell any unseated lands for any taxes which have not been so returned and exonerated as aforesaid.

Remedy of grievances. SECTION 14. Whenever any person is aggrieved by reason of any new road being laid out or altered by the supervisors, the person so aggrieved may make complaint to the justices of the peace in said township, or to any two justices near convenient to the supervisors, who shall send a notice to them, to meet at a place and time mentioned in said notice; and said justices shall hear the complaint, and the proofs and allegations of the parties, and decide as to them shall seem just and right, saving to either party who is dissatisfied with such decision the right of appeal, to the next court of quarter sessions, in the same manner as is now allowed to the overseers of the poor: the cost to be paid by the complainant or the township, as the case may finally result, and to be taxed as costs for similar services are now allowed by law.

Repeal. SECTION 15. The existing road laws, so far as they are supplied or altered by this act, are hereby repealed in the aforesaid county of Crawford, and this act shall take effect from the first day of March next, Anno Domini, one thousand eight hundred and forty-five.

Certain road laws extended to Greene and Clearfield counties. SECTION 16. That the provisions of the act of sixth April, one thousand eight hundred and forty-three, entitled "An Act to change the manner of assessing damages sustained by the owners of lands in opening public roads, in the counties of Washington, Mercer and Fayette," be and the same are hereby extended to the counties of Greene and Clearfield; and hereafter, the number of road and bridge viewers, to be appointed by the courts of quarter sessions of the said counties of Greene and Clearfield, shall, in all cases be three instead of six, one of which number may be a surveyor, if necessary; and no

view or review of any road or bridge in said counties, shall be valid, unless the whole number of such viewers or reviewers shall personally examine the premises, nor unless a majority thereof shall concur in the report; and the daily pay of such viewers or reviewers, shall be the same as is now fixed by the laws of the commonwealth.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM P. WILCOX,
Speaker of the Senate.

APPROVED—The seventh day of May, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 372.

A N A C T

Relative to the public schools in the borough of Bellefonte, in Centre 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 in addition to the tax provided for by the act, entitled “An Act to consolidate and amend the several acts relative to a general system of education by common schools,” passed the thirteenth day of June, one thousand eight hundred and thirty-six, and the supplements thereto, the school directors of the Bellefonte borough school district, in the county of Centre, are hereby authorized to assess upon each scholar that shall attend any of the public schools in the said district, any sum not exceeding one dollar 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. Bellefonte borough. School tax.

SECTION 2. It shall be lawful for said directors to demand and receive from any parent, guardian, master or other person having charge of any children in said district, that may 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, to collect the tax assessed upon property for school purposes, and shall receive the like compensation for his services. Collection of tax.

SECTION 3. The said directors shall have full power to exonerate any parent, guardian, master or other person having charge of any children, Exoneration.