

amount of work as they have funds to perform, after deducting one dollar per day for their services; and the said supervisors shall give public notice of the time and place of such allotment of work, by written or printed advertisements in the most public places in their respective townships and vicinity.

Repeal.

SECTION 14. That the first and second sections of an act, entitled "An Act to appropriate certain unseated land taxes in the county of Bradford," passed the eighteenth day of March, one thousand eight hundred and forty-four, be and the same is hereby repealed.

FINDLEY PATTERSON,

*Speaker of the House of Representatives.*

WILLIAM P. WILCOX,

*Speaker of the Senate.*

APPROVED—The twenty-second day of March, one thousand eight hundred and forty-five.

FRS. R. SHUNK.

No. 138.

## AN ACT

Relating to roads in Middletown township, Delaware county, and for other purposes.

Sale of roads.

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 at every sale of the sections of public roads in Middletown township, Delaware county, made agreeable to law, if there is not a bid for improving and keeping in repair any section or sections, as low as the supervisors may believe the same can be done for, they are hereby authorized to retain the same, and have said section or sections improved and kept in repair, in the most judicious manner, until the following year, when they are again to be offered at public sale, at the same time that sections given up or forfeited, are directed to be offered for sale; at every sale of sections of public roads in said township, if the lowest bidder at any section shall not possess sufficient property in the opinion of the supervisor, as indemnification, to insure the faithful performance of the contract, they shall require security immediately for the same; and the person or persons accepting as such, shall subscribe their names under that of the purchaser, in the book of contracts; but if satisfactory security shall not be given, the section shall be again offered for sale.

State road from  
Cumberland co.  
to York county.

SECTION 2. That Michael G. Beltzhoover and John Cornman, of Cumberland county, and Philip Smyser, of York county, are hereby appointed commissioners to lay out, by courses and distances, a state road, beginning at the south end of the bridge over the Yellow Breeches creek, on the road from Dillsburg to Carlisle, near Latshore's mill, in Cumberland county, through Dillsburg to Dover, in York county.

Duty of commis-  
sioners.

SECTION 3. That it shall be the duty of the said commissioners, or a majority of them, after taking an oath or affirmation before a justice of

the peace, to perform the duties enjoined upon them by this act, with impartiality and fidelity, to carefully view the ground over which the said road may pass, and lay out the same, as near in a straight line between the aforesaid points, as the nature of the ground will permit of.

SECTION 4. That it shall be the duty of the commissioners, plainly and distinctly, to mark upon the ground the route agreed upon for the road aforesaid, in such manner, as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties in this act enjoined, the commissioners are hereby authorized to employ a surveyor, two chain bearers, and one axeman.

SECTION 5. That it shall be the duty of the commissioners to make out a plain and accurate draft of the location of said road, noting thereon, the courses and distances from point to point, as they occur, the improvements passed through, and also, the crossing of county and township lines, roads and waters; one copy thereof shall be deposited in the office of the secretary of the commonwealth, on or before the fourth day of July next, and one copy in the office of the clerk of the court of quarter sessions, of the respective counties aforesaid, on the day aforesaid, or as much sooner as practicable, which shall be a record thereof; and from thenceforth, the road shall be, to all intents, a public highway, and subject only to the action of the legislature for alteration or amendments.

SECTION 6. That each of the said commissioners shall receive the sum of one dollar and fifty cents, for each day he shall be necessarily employed in said work, together with a reasonable allowance for a surveyor, and a per diem allowance, not exceeding seventy-five cents, for chain carriers and axeman; and the accounts of the said commissioners, for their own pay, and the pay of their hands as aforesaid, shall be adjusted and allowed by the commissioners of the respective counties through which the road passes, and paid by the treasurers thereof, on warrants drawn in the usual way, and in the following proportions:—York county paying two-thirds, and Cumberland county paying one-third.

SECTION 7. That in case of death, resignation, or disqualification of either of the aforesaid commissioners, the court of quarter sessions, in the county where the vacancy may occur, shall fill any such vacancy.

FINDLEY PATTERSON,  
*Speaker of the House of Representatives.*

WILLIAM P. WILCOX,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of March, one thousand eight hundred and forty-five.

FRS. R. SHUNK.