

No. 123.

AN ACT

To change the location of part of the Centreville and Donegal clay turnpike road, in the county of Westmoreland, 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 Seymour Campbell, Jacob Roadman and R. H. Blackburn, of the county of Westmoreland, be and they are hereby appointed commissioners to view and change the location of that part of the Centreville and Donegal clay turnpike road, (which road was declared to be a public highway, by an act of the general assembly, passed the twenty-seventh day of February, eighteen hundred and forty-five,) which lies between the west end of William Galbreath's lane, and the east end of Stall's and Hanger's lane, in Donegal township, in the county of Westmoreland; and the said commissioners shall make an accurate draft of the location upon which they shall place said part of said road, and shall return the same to the office of the clerk of the court of quarter sessions of the said county of Westmoreland; and the said commissioners shall receive one dollar and fifty cents per day, for their services for each day employed in viewing said road, and they are hereby authorized to employ one surveyor at two dollars per day, two chain bearers and one axeman at one dollar per day each, and their accounts when presented and allowed, shall be paid by warrants drawn by the county commissioners of said county, on the county treasurer; and the said commissioners shall endeavor to obtain releases from all persons upon whose land they may locate said road, and where they cannot obtain releases, they shall assess the damages and make return thereof, signed by a majority of them, together with the releases taken to the office of the clerk aforesaid: *Provided,* That before said commissioners shall proceed to discharge the duties imposed on them by this section, they shall first take and subscribe an oath or affirmation before some justice of the peace, to perform the same with fidelity and impartiality.

Commissioners change location of Centreville and Donegal turnpike road.
Location.
Draft.
Pay.
Proviso.

SECTION 2. That George W. Martin, of Westmoreland county, and Thomas Armstrong and Anthony Helfrieck, of Armstrong county, be and they are hereby appointed commissioners to view and lay out a state road from Logan's ferry, on the Allegheny river, via of Sheerersburg, in Westmoreland county, and by way of Leechburg, at or near the mouth of Cherry run, to Elderton, in Armstrong county.

Commissioners lay out state road from Logan's ferry to Elderton, in Armstrong county.

SECTION 3. It shall be the duty of the said board of commissioners, or a majority of them, after taking and subscribing 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 said road may pass, and to lay out the same so that the vertical departure from a horizontal 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 the said road may be preserved within that limit.

Duty.

Mark route.

SECTION 4. That it shall be the duty of the said commissioners, plainly and distinctly, to mark the ground on the routes 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 said commissioners are hereby authorized to employ at a per diem allowance, not exceeding one dollar each, two chain carriers and one axeman; and the said commissioners respectively, shall receive a per diem allowance, not exceeding one dollar and fifty cents each, for each and every day necessarily expended in the discharge of their duties enjoined by this act; and the said commissioners performing the duties of surveyor, shall have and receive an additional compensation of one dollar per day, for each and every day spent in the laying out of said road, to be paid in manner and form as hereinafter directed.

Pay.

Draft.

SECTION 5. It shall be the duty of the said board of commissioners, to make out a fair and accurate draft of the location of said road respectively, 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 thereof, shall be deposited in the office of the secretary of the commonwealth, on or before the first day of February next, and one copy in the offices of the clerks of the courts of the respective counties in which the said road may be laid out, on the day aforesaid, or as much sooner as practicable, 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 repaired in all respects as roads are opened and repaired, which are laid out by order of the courts aforesaid.

Accounts of commissioners, how settled.

SECTION 6. That the accounts of the said commissioners for their own pay, and the pay of their chain carriers and axeman, shall be made out and returned to the commissioners of such counties, in which said road may be located, in proportion to the time spent in the respective counties, in locating said road, and that they be paid out of the treasury of each of the respective counties, on warrants drawn in the usual way.

Meeting.

Vacancies, how filled.

SECTION 7. That the said commissioners shall meet on or before the first Monday in August next, or as soon thereafter as practicable, and complete the view of said road as soon as practicable; and if any vacancy or vacancies shall happen by resignation or otherwise, the court of quarter sessions of the county, where any vacancy or vacancies occur, shall fill said vacancy or vacancies by the appointment of suitable persons, who shall perform said duty.

Commissioners lay out road from Cherrytree to Rural village.

SECTION 8. That David Peeler and William Riddle, of Indiana county, and William Patterson, of Armstrong county, be and they are hereby appointed commissioners to view and lay out a state road from the Cherry tree in Indiana county, by way of Plumville to Rural village, in Armstrong county; and the said commissioners named in this section are authorized and directed to lay out and locate said road, under the same provisions and restrictions, as is contained in the third, fourth, fifth, sixth and seventh sections of this act.

Act relative to repair of roads repealed.

SECTION 9. That the act entitled "An Act relating to the supervisors of roads in Franklin township, in the county of Westmoreland," passed the twenty-seventh day of March, eighteen hundred and forty-five, be and the same is hereby repealed.

Conococheague creek as a public highway repealed.

SECTION 10. That the act entitled "An Act to declare certain parts of Conococheague creek, a public highway," passed the eighth day of April, one thousand seven hundred and ninety-four, be and the same is hereby repealed.

SECTION 11. That any justice of the peace of the county of Union, Justices of the peace in Union is hereby authorized to take proof, by the depositions of one or more witnesses, of the original, or a copy of the original draft of the village county, to take of Charleston, in said county, and on such proof being made to the depositions relative to the draft satisfaction of the recorder of deeds of said county, the said draft shall be by him recorded in the office for recording of deeds in said county, and the records of said draft, or duly certified copies thereof, shall in all future time be competent evidence respecting property, streets, alleys or boundaries in said village.

FINDLEY PATTERSON,
Speaker of the House of Representatives.
DANIEL L. SHERWOOD,
Speaker of the Senate.

APPROVED—The nineteenth day of March, one thousand eight hundred and forty-six.

FRS. R. SHUNK.

No. 124.

A N A C T

To incorporate the Philadelphia sacred music society.

WHEREAS, The members of the "Philadelphia sacred music society," citizens of this commonwealth, have associated together for the purpose of promoting, by combined effort, the cultivation of the science of music, and have established the following as fundamental articles of their association; therefore, Preamble.

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 all and every the persons who shall at the time of the passage of this act be members of the association, called and styled, "The Philadelphia sacred music society," in the city and county of Philadelphia, and all such as shall hereafter be admitted as members of the same, agreeably to the by-laws, shall be and they are hereby declared to be, a body politic and corporate, by the name, style and title of "The Philadelphia sacred music society;" and by the same name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded in all courts of record and elsewhere, and to purchase, receive, hold and enjoy real and personal estate of whatsoever kind or quality, and chuses in action, and the same, from time to time, sell, grant, alien or dispose of; and also, to have a common seal, and the same to break, alter and renew at pleasure; and also, to ordain, establish, and put in execution, such by-laws and regulations as shall appear necessary and convenient for said corporation, not being contrary to this charter or to the constitution and laws of the United States, or of this commonwealth: Members.
Provided, however, That the clear yearly value or income of the real Name.
and personal estate held by the said corporation, shall not exceed at any time the sum of three thousand dollars. Privileges.
By-laws.
Proviso.