

SECTION 6. That from and after the passage of this act, that "An Act relative to roads and bridges in the counties of Crawford, Clearfield roads and bridges, and Greene, passed the seventh day of May, one thousand eight hundred and forty-four," be and the same is hereby extended to the townships of Kingston, Franklin, Lackawanna, Providence, Blakely, Jefferson, Covington, Abington, Newton, Benton, Fell, Lehman and Carbondale, in the county of Luzerne; and that so much of the road laws as are hereby altered or supplied in the above townships, are hereby repealed.

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

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

FRS. R. SHUNK.

No. 169.

A N A C T

Authorizing the laying out of a state road from Smicksburg, in Indiana county, to the borough of Brookville, Jefferson county.

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 Hugh Brady, Levi G. Clover, of Jefferson county, and George Bernard, Commissioners of Indiana county, be and they are hereby appointed commissioners, to view and lay out a state road from Smicksburg, in Indiana county, Location. to Brookville, in Jefferson county.

SECTION 2. It shall be the duty of the said board of commissioners, Duty. 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 on the nearest and best ground, to a straight line, and in no place to exceed an elevation of five degrees.

SECTION 3. That it shall be the duty of the said commissioners, Mark route. 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 Compensation. each and every day necessarily expended in the discharge of the duties enjoined by this act; and the said commissioner 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.

Draft. SECTION 4. It shall be the duty of the said 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, and also the crossings 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 September next, and one copy in the offices of the clerks of 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.

Copies of drafts, to be filed.

Public highway.

Accounts of commissioners to be settled.

SECTION 5. That the accounts of the said commissioners, for their own pay, and the pay of their chain carriers and so forth, 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 supplied.

SECTION 6. That the said commissioners shall meet on or before the first Monday of June next, or as soon thereafter as practicable, and complete the view of said road; and if any vacancy occur, the court of quarter sessions of the county where such vacancy occurs, shall supply by the appointment of suitable persons who shall perform said duty.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 170.

AN ACT

In relation to the obstruction of the Clarion river, and for other purposes.

Nuisances to be removed.

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 persons heretofore having erected, or who shall hereafter erect, any dam or dams, or who shall continue the same in the Clarion river, for any purpose whatever, and which dam or dams are not built in accordance to the act of assembly, declaring said stream a public highway,*