

LAWS OF PENNSYLVANIA,

Report to legis-
lature.

shall assess such amount of damages in favor of the said George Hogg, as he shall be justly entitled to, and report the same to the legislature, together with a statement of the facts upon which their award may be predicated.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 196.

AN ACT

Relative to roads and bridges, in Lower Mount Bethel township, in the county of Northampton, and for other purposes.

Elect 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 township of Lower Mount Bethel, in the county of Northampton, shall on the third Friday of March, in the year of our Lord one thousand eight hundred and forty-seven, at the township election, elect three persons, who shall be styled supervisors of roads and bridges.

Term of serving
of supervisors to
be classified.

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 election in said township, 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 record; and the qualified voters of the said township, shall annually, at the township election 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.

Annually elect
one supervisor.

Duplicate of the
names of taxables
to be made.

SECTION 3. As soon as the supervisors are qualified, they shall notify the assessor of the said 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.

SECTION 4. The supervisors 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 day's 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 township.

SECTION 5. That the said supervisors shall, as soon as they are organized, lay out the said township into as many districts as they may deem necessary, not exceeding six; and they shall appoint one person in each district, who shall be called road masters, who shall respectively continue to hold said office of road master, until the next annual township election, at which time, annually thereafter, the qualified citizens of said township shall elect one person, in each district laid out by the said supervisors, to the office of road master; and the said supervisors shall furnish each of the said road masters with a list of all the taxables in his district, together with the amount of tax to be paid by each person; and the said road master shall notify each person named in his duplicate, of the time and place that he intends to work the said roads; and if the person so notified, shall refuse or neglect to work as shall be directed by the said road master, then the said road master shall forthwith make return to the said supervisors of every such delinquent; and in case any road master shall neglect or refuse to act, or to perform the duties enjoined upon him by this act, he shall pay a fine of not less than five nor more than ten dollars, to be recovered before a justice of the peace, as other sums of like amount are now recoverable by law, and the said supervisors shall appoint another person to serve in his place until the next election.

SECTION 6. The said supervisors are hereby authorized to issue their warrant to the constable of the said township, for the collection of any money that may be due from resident taxables, returnable in twenty days to the treasurer of the said township; and the constable is hereby required to execute the same under the regulations, and in the manner, and for the fees provided by law in cases of executions issued by justices of the peace.

SECTION 7. It shall be the duty of the said supervisors to take charge of all the roads and bridges in the said township, (except county bridges,) and to lay out and alter the same at the request in writing of the citizens of said township, if the said 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 court of quarter sessions, who shall record the same in the same manner as reports of views are now recorded: *Provided however*, That in all cases where roads shall be laid out under the provisions of this act, it shall be the duty of the said supervisors to do as little injury to private property as possible: *And provided also*, That this act shall only apply to roads and bridges confined within the limits of said township.

SECTION 8. The said supervisors shall in the month of December of each year, make out a list of all unseated lands in the said township, 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 un-

Tax to be levied
and assessed and
collected.

Lay out town-
ship into districts.

Each district to
elect a road mas-
ter.

Duty of supervi-
sors.

Of road master.

Penalty for neg-
lect.

Supervisors to
issue warrant.

Supervisors may
lay out and alter
roads.

Proviso.

Proviso.

Annual list of un-
seated lands to be
returned to coun-
ty commissioners.

seated lands to the commissioners 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 by law on unseated lands in this commonwealth.

Moneys to be paid into the treasury.

SECTION 9. All moneys raised in said township by tax or otherwise, for road purposes, shall be collected and paid to the treasurer of said township ; and whenever there is money either in the township or county treasury for the purpose, public notice shall be given by the said 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 in the said township, 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 said supervisors, on the treasurer of said township.

All contracts for repairs, &c., to be let to the lowest bidder.

Annual account to be settled.

SECTION 10. The said supervisors shall annually settle their accounts with the auditors of the township, as supervisors now do under existing laws ; and the said supervisors shall perform the several duties, and be subject to the same responsibilities heretofore imposed on the supervisors of the said county.

Compensation to be fixed.

SECTION 11. The compensation of the said road supervisors and treasurer shall be fixed by the auditors of the said township, not exceeding one dollar per day for each of the said supervisors, for every day they shall respectively be employed in the discharge of their duties by virtue of this act ; and the road masters of said township 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 assessor is hereby required to perform.

Duty of road master.

SECTION 12. The said road masters 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 said 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 the part of said road masters 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 treasurer of the said township, on complaint made by the said supervisors to said treasurer.

Exonerations.

SECTION 13. It shall be the duty of the said supervisors, and of all the collectors of the road taxes of the said township, to make return to the auditors of the said township, of any exonerations claimed by them, on or before the thirty-first day of December, in each year.

Grievances, how remedied.

SECTION 14. Whenever any person is aggrieved by reason of any new road being laid out or altered by the said supervisors, the person so aggrieved may make complaint to two justices of the peace, in said township, or to any two justices most convenient to the said supervisors, who shall send a notice to them, to meet at a place and time mentioned in said notice ; and the 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.

SECTION 15. That this act shall not take effect until the third Friday of March next, from which time, the existing road laws, so far as they are supplied or altered by this act, are hereby repealed, in the aforesaid township of Lower Mount Bethel.

SECTION 16. That from and after the passage of this act, the supervisors of Mill Creek township, in the county of Lebanon, shall enter into a bond to the commonwealth, for the use of the said township, in double the amount of the duplicate of taxes assessed for any one year, for township purposes, with at least one approved security, conditioned for the faithful collecting of the same, and accounting for all moneys received by them, and paying over all balances in their hands, to their successors in office; which bond, with approved security, shall be given at the next court of quarter sessions of the said county, immediately succeeding their election; and the said court shall approve of the same, and shall have power to allow the accounts of the said supervisors, and compel settlement thereof at least once in a year.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 197.

AN ACT

Relative to the appointment of a trustee for Elizabeth Hawk.

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 it shall be lawful for the court of common pleas of Lebanon county, on reasonable cause being shewn, to commit the custody and care of the person and estate of Elizabeth Hawk, of said county, a person represented as being incapable of maintaining her estate, to such person or persons as the said court shall deem suitable, in the same manner and with the same effect, as if a return of inquisition finding the said Elizabeth Hawk, a lunatic, had been made to said court, under the provisions of the act, entitled "An act relating to lunatics and habitual drunkards," passed the thirteenth day of June, Anno Domini, eighteen hundred and

Lebanon county
court to appoint a
trustee for Eliza-
beth Hawk.