

Power to re-convey. ized to convey, and transfer by proper assurances, in fee, to Thomas Mather, all the estate, real and personal, the title to which is now vested in them, as trustees, by reason of a deed of conveyance executed to them by the said Thomas Mather, bearing date the twenty-sixth day of December, Anno Domini one thousand eight hundred and thirty-four; and that from and after the execution of said conveyance, the said trustees shall be discharged from said trust, as effectually as though the same had never been created.

FINDLEY PATTERSON,

Speaker of the House of Representatives.

DANIEL L. SHERWOOD,

Speaker of the Senate.

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

FRS. R. SHUNK.

No. 232.

AN ACT

Authorizing the laying out of a state road from the Conneaut lake and Georgetown road, near Samuel Minises' farm, on the line which divides the counties of Mercer and Crawford, and along said line to Jamestown, so as to intersect the Jamestown and Kinsmantown road.

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 Joseph Cochran, Edward Eells, of Crawford county, and William Dunn, of Mercer county, be and they are hereby appointed commissioners, to view and lay out a state road, from the Conneaut lake, and Georgetown road, near Samuel Minises' farm, on the line which divides Mercer county from Crawford, and from thence along said county line to Jamestown, so as to intersect the Jamestown and Kinsmantown road.

Commissioners to lay out road.

Location.

Duty of commissioners.

SECTION 2. *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 on the said county line, wherever the nature of the ground will permit, so that the vertical departure from a horizontal line shall at no point exceed five degrees, except only at crossing ravines and streams, where, by a moderate filling or bridging, the declination of the said road may be preserved within that limit.*

Mark route.

SECTION 3. *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 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. Compensation.

SECTION 4. It shall be the duty of the said board of commissioners, Draft, 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 January next, and one copy Where to be deposited. 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. Public highway. way, 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.

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. Accounts, how settled.

SECTION 6. That the said commissioners shall meet on or before the first Monday in August next, or as soon thereafter as practicable, and complete the review 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. Time of meeting. Vacancy, how supplied.

SECTION 7. That the state road which has been laid out, in pursuance of the sixteenth section of the act of the ninth of April, Anno Domini one thousand eight hundred and forty; and the second section of the act of the sixth March, one thousand eight hundred and forty, shall be, to all intents and purposes, a public highway, and shall be opened and repaired as other public highways are. State road from Heverling's mill, Union county, to Elk creek, Centre county, declared a public highway.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

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

FRS. R. SHUNK.