

to appoint some suitable person in his stead, upon his giving security as aforesaid.

JAMES COOPER,
Speaker of the House of Representatives.

CH. GIBBONS,
Speaker of the Senate.

APPROVED—The twenty-seventh day of February, one thousand eight hundred and forty-seven.

FRS. R. SHUNK.

No. 134.

A N A C T

Authorizing the laying out of a state road from New Castle, in Mercer county, thence to Rockville, thence to West Liberty, thence to Sunbury, thence to North Washington, thence to Fairview, all in Butler county, thence to the Great Western iron works, in Armstrong 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 James Oliver, of Mercer county, John H. Thompson, of Butler county, and John Gilchrist, of Armstrong county, be and they are hereby appointed commissioners to view and lay out a state road from the borough of New Castle, in Mercer county, thence to Rockville, thence to West Liberty, thence to Sunbury, thence to North Washington, thence to Fairview, all in Butler county, thence to the Great Western iron works, in Armstrong county.

Com'rs appointed
to lay out road
from New Castle
to Great Western
iron works.

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 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.

Duty of commis-
sioners.

SECTION 3. That it shall be the duty of 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 day necessarily expended in the discharge of the 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 the manner and form as hereinafter directed.

Mark route.

Compensation.

SECTION 4. It shall be the duty of said commissioners, to make out a fair and accurate draft of the location of said road, 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 whereof shall be deposited in the office of the secretary of the commonwealth, on or before the first Tuesday of January 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.

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 equally, on warrants drawn the usual way.

JAMES COOPER,
Speaker of the House of Representatives.

CH. GIBBONS,
Speaker of the Senate.

APPROVED—The twenty-seventh day of February, one thousand eight hundred and forty-seven.

FRS. R. SHUNK.

No. 135.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to authorize the governor to incorporate the Delaware and Susquehanna railroad company."

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 time for the performance of the several things mentioned in the act to which this is a supplement, be and the same is hereby extended for five years from the passage of this act. Time extended.

SECTION 2. That Frederick A. Rose, John W. Heller, Theodore Bowhannon, of the county of Pike, and Richard Lancaster and Oliver Hamlin, of Wayne, and William Merrifield, Charles H. Silkman, of Luzerne, be appointed, in addition to the commissioners already appointed in the said act. Additional commissioners.

SECTION 3. That nothing in this act, or the act to which this is a supplement, shall authorize the said company to enter upon any lands, or take any property without first making compensation to the owner taking it. To make compensation for property before taking it.