

No. 229.

AN ACT

To authorize a state road from the road which leads from Mount Pleasant to the Washington and Pittsburg turnpike road, at a point at or near Alexander May's saw mill, in Washington county, to intersect a road leading to Pittsburg, at G. Y. Coulter's mill, in Allegheny 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 Benjamin Babbit and Edward M'Donald, of Washington county, and Samuel Stewart, of Allegheny county, be and they are hereby appointed commissioners to view and lay out a state road from the road which leads from Mount Pleasant to the Washington and Pittsburg turnpike road, at a point at or near Alexander May's saw mill, in Washington county, to intersect a road leading to Pittsburg, at G. Y. Coulter's mill, in Allegheny county.

Commissioners appointed.

To lay out state road from Alexander May's saw-mill, to Coulter's mill, in Allegheny county.

SECTION 2. That it shall be the duty of said commissioners, respectively, after taking and subscribing an oath or affirmation before a justice of the peace to perform the duties enjoined on 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 of the width of thirty-three feet, so that the vertical departure from a horizontal line shall at no point exceed five degrees, except at the crossing of ravines and streams, where, by moderate excavation, filling or bridging, the declination of the road may be preserved within that limit.

Duty of commissioners.

SECTION 3. That it shall be the duty of said commissioners, plainly and distinctly to mark the ground on the route agreed upon for said road, in such manner as to enable the supervisor readily to find the same; and for the purpose of fulfilling the duties of this act, the said commissioners are hereby authorized to employ a surveyor, if necessary, at a per diem allowance not exceeding two dollars; two chain bearers and one axeman, at a per diem allowance of one dollar each; and the said commissioners shall each receive a per diem allowance not exceeding one dollar and fifty cents for each and every day necessarily spent in the discharge of the duties enjoined by this act, in manner and form as hereinafter directed.

Mark route.

Compensation.

SECTION 4. 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, noticing therein the courses and distances as they occur, the improvements passed through, and also the crossing of county and township lines, roads and waters, with such other matters as may serve for explanation; one copy of which shall be deposited in the office of the secretary of the commonwealth, on or before the first Tuesday of January, eighteen hundred and forty-eight, and one copy in the office of the clerk of the court of the respective county in which said road may be laid out, on the day aforesaid, or sooner, if 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 and repaired in all respects as roads are opened and repaired, which are laid out by order of the courts aforesaid.

Draft.

Public highway.

Accounts of commissioners, how settled. SECTION 5. That the accounts of said commissioners, for their own pay and that of a surveyor, chain carrier, 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 the location of said road, and that they be paid out of the treasury of the respective counties, on warrants drawn in the usual manner.

Vacancies, how supplied. SECTION 6. That the said commissioners shall meet on or before the first day of September, Anno Domini eighteen hundred and forty-seven, and complete the view of said road; and if any vacancy shall occur, by resignation or otherwise, the court of quarter sessions of the county where such vacancy shall exist, shall appoint a suitable person, who shall perform said duty.

Farther duties. SECTION 7. That it shall be the duty of said commissioners to endeavor to procure from the persons through whose land such location may be made, releases for all claims of damages that might arise from opening the same; and in every case where said commissioners shall fail to procure such releases, and it shall appear to them that any damages will be sustained, it shall be their duty to assess the damages, and make report thereof, signed by a majority of them, and return the same, together with all releases obtained, to the court of quarter sessions of the county in which such damages may accrue.

JAMES COOPER,
Speaker of the House of Representatives.

CH. GIBBONS,
Speaker of the Senate.

APPROVED—The eleventh day of March, one thousand eight hundred and forty-seven.

FRS. R. SHUNK.

No. 230.

A FURTHER SUPPLEMENT

To the act authorizing the incorporating the Easton water company, passed March twenty-fourth, eighteen hundred and seventeen.

Increase capital stock. 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 in order to complete the object of said company, the capital stock thereof is hereby increased to one thousand shares; and the president and managers thereof are authorized to sell the two hundred shares of increase hereby authorized, to such persons or company as may purchase or subscribe for the same, so that the rate of each share so sold or subscribed for, shall not be less than thirty-five dollars; and all shares of stock of said company paid in, shall be considered as equal in all respects, notwithstanding the difference in the original price thereof, and said stock shall be called in by instalments; and the work of said company shall be prosecuted to completion, and the dividends