

No. 42.

AN ACT

To view and lay out a state road from Carmichaelstown, in Greene county, to M'Clellandtown, in Fayette county.

Commissioners.	SECTION 1. <i>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,</i> That Boas Boydson, of Greene county, and George Whiting and Stephen W. Snyder, of Fayette county, be and the same are hereby appointed commissioners to view and lay out, and mark a state road, beginning at or near Carmichaelstown, Greene county, and leading to M'Clellandtown, Fayette county, by the easiest and most practicable route, having reference to distance of the route, surface of the country, and cost of construction.
Location.	
Duties.	SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after having been duly sworn or affirmed before a justice of the peace, who shall file and preserve the same in his office, to perform all the duties enjoined by this act with impartiality, carefully to view the ground over which the road to be laid out by them may pass, having due regard to a straight and easy road for the public, at an elevation of not more than five degrees from a horizontal line; and that they shall clearly and distinctly mark the road in such a manner, as shall render the route agreed upon readily found by the supervisors; and for fulfilling the duties enjoined by this act, the commissioners shall be allowed the sum of one dollar and fifty cents per day, for every day they shall be necessarily employed in performing the duties assigned by this act; and the said commissioners are hereby authorized to employ P. J. Nelson Patrick, surveyor, at one dollar and fifty cents per diem, two chain-bearers and one axeman, at a sum not exceeding, for each, one dollar per diem.
P. J. Nelson Patrick, surveyor	
Draft of location of road to be made out, &c.	SECTION 3. The said commissioners shall make out a fair and accurate draft of the location of the road, noting thereon courses and distances, and the places, waters, county and township lines, with such other matter 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 day of January next, and one copy in the office of the clerks of the court of quarter sessions of the respective counties through which the said road may pass, on the time aforesaid, or as much sooner as practicable; and from thenceforth the said road shall be a public highway, and shall be opened and repaired as all other roads laid out by the courts are made and repaired.
Accounts, how adjusted.	SECTION 4. And the commissioners shall draw on the commissioners of the counties through which the said road shall pass, who shall adjust the account of the commissioners, surveyor, chain-bearers and axeman, and pay them as other accounts by orders on the treasurer of the county are paid.
When commissioners to meet.	SECTION 5. And said commissioners shall meet on or before the first Monday of August next, or as soon thereafter as a majority of them shall agree on, and complete the location of said road as soon as practicable; and if any vacancy shall occur by resignation or otherwise, it

shall be filled by the judges of the court of quarter sessions of the county in which said person or persons so resigning, shall have resided.

SECTION 6. And it shall be the duty of the supervisors of the several townships through which said road shall pass, upon notice given, to proceed at once and make and open the said road as other roads are made; and on failing to comply, the said supervisors, or any of them, shall forfeit and pay a fine not less than fifty dollars, to be collected as other fines are collected, and the said fine shall be appropriated for the use of said road; and the justice of the peace before whom information is lodged, shall have power to appoint another person in place of the supervisor refusing to perform the duties of this act, who shall be paid out of the funds set apart for the laying out and repairing of roads in the township in which said person, so refusing, may reside; and that said commissioners shall have power to vacate any road or part thereof, as may be rendered useless by this act, or shall have power to locate any part of the road between the points mentioned by this act.

Duties of supervisors.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

GEORGE DARSIE,
Speaker of the Senate.

APPROVED—The ninth day of February, A. D. one thousand eight hundred and forty-nine.

WM. F. JOHNSTON.

No. 43.

AN ACT

Erecting the townships of Butler and Frailey, in the county of Schuylkill, into separate election districts.

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 township of Butler, in the county of Schuylkill, is hereby erected into a separate election district; and the qualified voters thereof, shall hereafter hold their general and township elections at the public house of George Seitzinger, in said township; and that Peter Kline is hereby appointed judge, and Peter Seitzinger and Andrew H. Wilson, inspectors, to hold the township elections in said township, for the year one thousand eight hundred and forty-nine.

SECTION 2. That the qualified electors of Frailey township, in the county of Schuylkill, shall hereafter hold their general and township elections at the public house now occupied by Charles Burrowes, in the town of Donaldson; and that David Lomison is hereby appointed judge,