

premises, as may be required by the orphans' court of said county: *And provided further*, That before any deed is executed and delivered, the said Nancy M'Donald shall make report of sale to the orphans' court of said county; and upon said court being satisfied that such sale is for the benefit of said children, shall forthwith endorse an order of absolute confirmation of the sale.

SECTION 11. That Samuel Wilson and David Wilson, senior, executors of the last will and testament of John Wilson, late of Clarion township, in the county of Clarion, deceased, be and they are hereby authorized to sell at public or private sale, and convey by deed or deeds in fee simple, all that certain tract of land late the property of the said John Wilson, situate in Clarion township, in the county of Clarion, adjoining lands of Andrew Owens, Jonathan Firman and others, containing one hundred and thirty-eight acres, or thereabouts, with the appurtenances, and to apply the net proceeds of such sale agreeably to the true intent and meaning of the last will and testament of said deceased: *Provided*, That the said executors shall first give a bond to the orphans' court of the county of Clarion, with sufficient sureties, conditioned for the faithful application of the proceeds of said sale.

Executors of
John Wilson,
deceased, author-
ized to sell cer-
tain real estate.

J. S. M'CALMONT,
Speaker of the House of Representatives.

V. BEST,
Speaker of the Senate.

APPROVED—The second day of April, one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No. 264.

AN ACT

Authorizing the laying out of state road from Schuylkill township, in Schuylkill county, to Roaring Creek township, in Columbia county; relative to the Lebanon Valley railroad company; and to President township, in Venango 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 Benneville Fetherolf, of the county of Schuylkill, and Amzi Brown, esquire, and Daniel Yeager, of the county of Columbia, be and they are hereby appointed commissioners to view and lay out a state road, commencing on the state road leading from Pottsville to Mauch Chunk, at the junction of Broad and Walnut streets, in the town of Tuscarora, in Schuylkill township, Schuylkill county, and terminating at the junction of the Numidia, Slabtown and Catawissa Forge roads, at or near the house of Emanuel Kerns, in Roaring Creek township, Columbia county.

Commissioners.

Location.

- Duties.** 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 nearest and best ground to a straight line, and in no place to exceed an elevation of five degrees, except at crossing ravines and streams, where by a moderate excavation, filling or bridging, the declination of said road may be preserved within that limit.
- To make out drafts** SECTION 3. That it shall be the duty of said commissioners 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, 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 day of September next, and one copy 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, 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.
- Drafts to be filed.**
- Mark route.** SECTION 4. That it shall be the duty of said commissioners plainly and distinctly to mark the ground on the route agreed upon for the road aforesaid, in such a manner as to enable the supervisors readily to find the same.
- Pay of commissioners.** SECTION 5. That 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 shall have power to employ a surveyor to assist them in the discharge of their duties, who shall be allowed the sum of two dollars and fifty cents for each day necessarily employed according to the provisions of this act.
- Surveyor, pay of.**
- Accounts.** SECTION 6. That the accounts of the said commissioners for their own pay and the pay of their surveyor, 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.
- Commissioners to meet on third Monday of May.** SECTION 7. That the said commissioners shall meet on or before the third Monday in May next, or as soon thereafter as practicable, and complete the view of said road, and such other duties as are enjoined upon them by this act.
- Lebanon Valley railroad, company additional power granted to.** SECTION 8. That the Lebanon Valley railroad company be and they are hereby authorized to construct their railroad, without regard to the intermediate points (except Lebanon,) mentioned in the act incorporating said company; and the time limited in the same for commencing said road, be and the same is hereby extended for five years, and for completing the same ten years from the passage of this act: *Provided*, That within six months after the completion of said railroad, and semi-annually thereafter, the proper officers or agents of the said Lebanon Valley railroad company, shall make out under oath or affirmation, and transmit to the auditor general, a statement exhibiting the amount of tonnage of whatsoever kind or description, and the number of passengers that may have passed over the entire length of said road, between Harrisburg and the point of intersection of the Reading railroad, or the city of Reading, during the preceding six months; and they shall also
- Time for commencing, extended.**
- Proviso.**

at the same time pay into the treasury of the commonwealth, a tax or duty on all tonnage of whatsoever kind or description, except the ordinary baggage of passengers, that may have passed over the entire length of said road, between the aforesaid points during the last preceding six months, at the rate of twenty-five cents per ton; and also pay into the treasury aforesaid at the same time, a tax or duty on all passengers that may have passed over said road between the points aforesaid, during the last preceding six months, at the rate of twenty cents for each passenger; and the legislature hereby reserves the right to adopt such additional means to secure a faithful compliance with the conditions of this proviso, as may hereafter be deemed necessary and right: *And provided further*, That the sixth section of said act be and the same **Repeal.** is hereby repealed.

SECTION 9. That that part of townships in Venango county, included within the following boundaries, to wit: beginning on the Allegheny **Boundaries.** river in Cranberry township, at the north-west corner of a tract of land surveyed in the name of Henry Wingert; thence by the western boundary thereof to the south-west corner of the same; thence by the northern and western boundaries of a tract surveyed on warrant in the name of Joseph Shippen, to the south-west corner of the same; thence by the southern boundary of the same to the north-west corner of tract, number two thousand six hundred and ninety-four; thence to the south-west corner of the same; thence eastwardly on the southern boundary of the same, and southern boundary of tracts, numbers two thousand six hundred and ninety-six, two thousand six hundred and eighty, and two thousand six hundred and ninety-seven, to the south-east corner of the same; thence northwardly on the eastern boundary of the same, and the eastern boundary of tract, number two thousand eight hundred and thirty-nine, to Tionesta township, and the eastern boundary of tract, number two thousand eight hundred and thirty-six, and so on the same course northwardly to the Allegheny river; thence down said river to the south-east corner of a tract warranted in the name of Jacob Lewis; thence by the eastern boundary thereof to the north-east corner of the same; thence to the south-east corner of tract, number two hundred and fifteen; thence by the eastern boundary of the same to the north-east corner thereof; thence by the northern boundary of the same and the northern boundary of tracts, numbers one hundred and sixty-eight, one hundred and sixty-seven, and one hundred and twenty, to the north-west corner of the latter; thence north to the south-west corner thereof to Pit Hole creek; thence down the centre of said creek to the Allegheny river; and thence to the place of beginning, shall hereafter form a new township, to be called President, for all township and election purposes; and the place of holding the general and township elections shall be at the school house near President furnace. **President township, Venango county, erected.**

SECTION 10. That the first election for township officers in the new township of President, Venango county, shall be held on the first Friday of May next, and that Alexander Holman and Patrick Culberson, are hereby appointed inspectors, and R. P. Elliott, judge, for to hold said township election, with power, and it shall be their duty, to swear one another, and two clerks, which they or a majority of them shall select, and hold the said first election in accordance to law; and the township elections thereafter shall be held on the second Friday of February in each and every year. **Place of holding elections. Officers.**

SECTION 11. That on the application of ten or more of the citizens of President township, to the court of quarter sessions of Venango **Draft of said township to be filed, &c.** county, it shall be the duty of said court to appoint three citizens, one of which shall be a surveyor, who shall proceed to run and mark out

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the boundary lines of President township, and file a draft of the same in the prothonotary's office in Venango county; and the expenses of the same shall be paid by the township of President.

J. S. M'CALMONT,
Speaker of the House of Representatives.

V. BEST,
Speaker of the Senate.

APPROVED—The third day of April, one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No. 265.

AN ACT

For the sale of certain school houses in Lebanon and Lancaster counties; to authorize the school directors of Bethel township, in Lebanon county, to borrow money; Thomas H. Leinbauch and Gottlieb Kintzell to sell real estate; and the commissioners of Philadelphia county to borrow money; relative to the Bank of Germantown; and to authorize Leah Gillespie to sell certain real estate; to elect an additional school comptroller in the ninth section of the first school district of Pennsylvania; relative to certain school districts in Perry and Cambria counties; to the borough election in Montourville, Lycoming county; and to a certain road or street in Meadville, Crawford county.

Preamble.

WHEREAS, On the thirteenth day of July, Anno Domini, one thousand seven hundred and sixty-nine, Philip Boyer, Christian Blough, John Ulrey Huber and Dewalt Light made a declaration in trust under their hands and seals, that they held a certain lot or piece of land situate in the township of Lebanon, county of Lancaster, (now township of North Annville, county of Lebanon,) then bounded by lands of John Ulrey Huber and Michael Fernsler, and containing one acre and two perches, to and for the only use and benefit of a school:

And whereas, A number of the inhabitants of the neighborhood associated themselves together, in pursuance of the trust, and erected a school house thereon:

And whereas, Jacob Light and Henry Fry are at present the trustees elected in pursuance of the articles of association aforesaid:

And whereas, The same has now become inconvenient; now therefore,

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 Jacob Light and Henry Fry be and they are hereby authorized to sell at public or private sale, the lot of land aforesaid, and the building thereon, and to convey the same to the purchaser thereof in fee simple, and to apply the proceeds of such sale first to the payment of any debts contracted heretofore by the present or former trustees, in the performance of the trust, next to the expenses attending such sale, and lastly to

Jacob Light and Henry Fry authorized to sell certain real estate.