

The commis-
sioners and in-
habitants of the
district of Ken-
sington, name
changed to.

Oswayo creek,
Potter county,
declared a public
highway.

SECTION 9. That from and after the first day of January, one thousand eight hundred and fifty-one, the municipal district incorporated by an act of assembly passed March sixth, one thousand eight hundred and twenty, by the name and title of "The commissioners and inhabitants of the Kensington district of the Northern Liberties," shall be known by the name and title of "The commissioners and inhabitants of the district of Kensington."

SECTION 10. That from and after the passage of this act, the Oswayo creek, in the county of Potter, shall be declared a public highway from the town of Millport up to the town of Oswayo, a distance of about six miles.

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

V. BEST,
Speaker of the Senate.

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

WM. F. JOHNSTON.

No. 289.

AN ACT

For the relief of Adolphus Peries, administrator of James Yard; and to incorporate a company to construct the Greensburg and West Newton turnpike and plank road company; and to authorize Charles Noble to sell certain real estate; to a tavern license in Mifflin county; to refund money from the state treasury, to Charles Shaeffer; relative to the estate of Ferdinand Roth, of York 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 the state treasurer be and hereby is authorized and required to pay to Adolphus Peries, administrator de bonis non cum testamento annexo, of James Yard, deceased, out of any moneys not otherwise appropriated, the sum of eleven hundred and eighty-seven dollars and fifty cents, this sum having been paid by mistake to the treasurer of the county of Philadelphia, and by him to the state treasurer as collateral inheritance tax on the estate of the said James Yard.

Adolphus Peries,
payment to.

Administrator of
Lydia Roth au-
thorized to sell
certain real es-
tate.

SECTION 2. That Ferdinand Roth, administrator of Lydia Roth, late of Fairview township, York county, deceased, be and he is hereby authorized to make public or private sale of the real estate of the said decedent, situated in Fairview township, the proceeds of the sale of the said real estate to be paid by the said Ferdinand to Amos Roth, infant son and only heir of Lydia Roth, deceased, when he arrives at the age of twenty-one years: *Provided,* That before the said sale shall be deemed to be valid, the same shall have been approved by the orphans'

court of said county of York, and the said administrator shall have given bond, with at least two sufficient securities, to be approved of by said court, in double the amount of the estimated value of the said real estate, conditioned for the faithful application of the proceeds of said sale.

SECTION 3. That H. P. Laird, John Morrison, Jacob Weltey, Christopher Cribbs, John Shotts, Abraham Altman, John Brisband, James M'Kee Samuel Davidson, James Simpson, John Milligan, S. P. Marcle, James Garner, John Klinensmith, Daniel Swin, of Westmoreland county, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of "The Greensburg and West Newton turnpike and plank road company," with power to construct a turnpike or plank road, or a road part turnpike and part plank from Greensburg, in Westmoreland county, to West Newton, in said county, by the nearest and best route, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplement to said act, approved the seventh day of April, one thousand eight hundred and forty-nine.

Commissioners.

Style.

Location.

Subject to provisions of certain act.

SECTION 4. That the capital stock of said company shall consist of one thousand shares, at twenty dollars per share: *Provided*, That said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as in their opinion may be deemed necessary to complete the road, and to carry out the true intent and meaning of this act.

Capital stock.

SECTION 5. That if said company shall not commence the construction of their road within three years after the passage of this act, and complete the same within five years thereafter, the third and fourth sections of this act shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of said company.

Commencement and completion of road.

SECTION 6. That Charles Noble, administrator with the will annexed of the estate of David Newport, late of the county of Philadelphia, deceased, be and hereby is authorized, empowered and directed to sell and convey, for the sum of six thousand dollars, to Morris Penrose, his heirs and assigns, all that certain messuage or tenement, and two adjoining lots or pieces of land, containing in all about thirty-seven acres more or less, situate in Abington township, in the county of Montgomery, as the same is described in a certain indenture dated the nineteenth day of June, Anno Domini, one thousand eight hundred and forty-seven, whereby the said premises were granted and conveyed by John Rowlett and Drusilla, his wife, unto the said Charles Noble, administrator as aforesaid, recorded in the office for recording deeds, &c., in and for the said county of Montgomery, in deed book, No. 71, page 235, &c., and upon the payment of the said sum of six thousand dollars, the said Charles Noble is hereby authorized, empowered and directed to make and execute unto the said Morris Penrose, a good and sufficient deed in the law; and thereupon he, the said Morris Penrose, shall take and hold the said messuage or tenement and lots and pieces of land so purchased, free and clear from all and every the trusts and trust in the last will and testament of the said David Newport mentioned and declared, and the said Morris Penrose shall not be bound to see to the application of the purchase money; the said purchase money to be applied by the said Charles Noble, to the purposes, objects and uses contained and declared in said will: *Provided*, That the orphans' court of the county of Philadelphia shall have first approved of the aforesaid sale.

Administrator of David Newport, deceased, authorized to sell certain real estate.

Tavern license in Mifflin county, court of quarter sessions to hear the petition of a certain.

SECTION 7. That the court of quarter sessions of Mifflin county be and are hereby authorized to hear and determine the application of James Turner, for a tavern license in the borough of Lewistown, Mifflin county, as though the regular notice had been given in pursuance of the laws regulating tavern licenses.

State treasurer to refund certain money to Charles Shaeffer.

SECTION 8. That the state treasurer is hereby authorized and required to pay to Charles Shaeffer, one of the sureties of Frederick Hambright, late collector of the Columbia and Philadelphia railroad at Lancaster, the sum of twenty-four dollars and eight cents, being the amount overpaid by him in his settlement of his account with the commonwealth.

J. S. M'CALMONT,

Speaker of the House of Representatives.

V. BEST,

Speaker of the Senate.

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

WM. F. JOHNSTON.

No. 290.

AN ACT

Supplementary to an act, entitled "An Act to provide for the election of commissioners for opening and repairing the public highways in Blockley township, Philadelphia county, and for other purposes," approved March eleventh, Anno Domini, one thousand eight hundred and forty-five; the Belmont and Oghquaga turnpike road; and the pay of the directors of the poor of Franklin county; and to open and extend North Queen and Lime streets, in the city of Lancaster.

Road commissioners of Blockley township, duties of, in opening public highways.

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 from and after the passage of this act, it shall be the duty of the road commissioners of Blockley township, in opening and repairing all public highways in said township, to leave side-walks for foot passengers of the following dimensions, (that is to say,) on all streets or roads thirty feet in breadth, side-walks of five feet wide; on all streets or roads forty feet in breadth, side-walks six feet wide; on all streets or roads fifty feet in breadth, side-walks seven feet wide; and on all streets or roads sixty feet in breadth, side-walks eight feet wide; and the property owner or owners through whose lands said streets or roads may pass, shall have the privilege of forming and repairing such side-walks for the use of themselves and the public: *Provided,* They be so constructed as not to leave abrupt ascents or descents to interfere with the comfort or conveniences of foot passengers.

Penalty for obstructing side walks, &c.

SECTION 2. And said commissioners shall have full power and authority to impose penalties for any injury done to, or obstructing said side-walks and water courses along the same, and to collect said penal-