

No. 393.

AN ACT

To view and lay out a state road from the borough of Millerstown, in the county of Perry, to Mifflinburg, in Union county; relative to the Pittsburg and Washington turnpike road; authorizing the paving of certain portions of Broad street; to grant a tavern license in Perry county; to the Towanda bridge company; to legalize a certain election in Perry county; to a state road in Cumberland county; and to Turner's lane, in the district of Penn.

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

William J. Jones, of Perry county, and S. O. Evans, of Juniata county, and Henry Hilbish, of Union county, be and the same are hereby appointed commissioners to view and lay out and mark a state road, beginning at the Centre square in Millerstown, Perry county, and extending by the easiest and most practicable route, having reference to distance, surface of the country and cost of construction, to a point at Mifflinburg, Union county.

Commissioners to lay out a state road.

Location.

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 two dollars 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 one surveyor at two dollars per diem, two chain-bearers and one axeman, at a sum not exceeding for each one dollar per diem.

Duties of said commissioners.

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 June 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 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.

Make out drafts.

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.

Accounts, how adjusted.

SECTION 5. And said commissioners shall meet on or before the first Monday of May next, in the borough of Millerstown, Perry county, or

Meeting of commissioners.

Vacancies, how supplied.

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.

Duties of the supervisors of the several townships through which the road passes.

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 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.

Washington and Pittsburg turnpike road company authorized to construct a plank or M'Adamized road.

SECTION 7. That the president and managers of the Washington and Pittsburg turnpike road company be and they are hereby authorized and empowered to construct a plank or M'Adamized road on the bed of their present road, or on such parts of their present location as they may consider expedient, between Washington and the city of Pittsburg: it is hereby further provided the present managers of said road shall constitute a board of commissioners to open books and receive subscriptions additional to the stock originally authorized to be subscribed for, and under such conditions as the aforesaid managers may deem expedient, in the manner provided for in their original act of incorporation: *Provided*, That said new subscriptions shall not amount to a sum beyond twenty thousand dollars.

Broad street in Penn district to be paved.

SECTION 8. That the commissioners of Penn district be authorized to pitch and pave Broad street from the line dividing said district from the district of Spring Garden, to the intersection of Broad street with Girard avenue, including said intersection; and they are hereby authorized to enter liens against the property for the expense of paving, in the same manner as is now authorized by law in other cases.

Toboyne township and New Germantown, Perry county, relative to tavern licenses in.

SECTION 9. That it shall and may be lawful for the citizens of Toboyne township and borough of New Germantown, in the county of Perry, hereafter to apply to the court of quarter sessions of the said county for tavern license in the said borough of New Germantown.

Court of quarter sessions of Perry county authorized to grant a tavern license to Mrs. Emily Gray.

SECTION 10. That the court of quarter sessions of Perry county is hereby authorized and empowered to grant a tavern license to Mrs. Emily Gray, at the next sessions of said court after the passage of this act, on any application of the citizens of Toboyne township and borough of New Germantown, in said county; and so much of any law as requires all the signers of petitions for tavern license in the borough of New Germantown, to reside in said borough, be and the same is hereby repealed.

Fines and penalties imposed by the by-laws of the Towanda bridge company, may be recovered, &c.

SECTION 11. That the fines and penalties imposed by the by-laws of the Towanda bridge company, by virtue of the act of fourteenth March, A. D., one thousand eight hundred and thirty-one, entitled "An Act to authorize the governor to incorporate a company for erecting a bridge over the river Susquehanna, at the borough of Towanda, the seat of justice in the county of Bradford, may be recovered in any suit as debts of like amount are by law recoverable.

SECTION 12. That the election held on the fifth Friday of March, one thousand eight hundred and fifty, in the borough of Petersburg, in the county of Perry, for the election of judge and inspectors of elections, be and the same is hereby legalized.

Certain election held in Petersburg, Perry county, legalized.

SECTION 13. That the first section of an act, entitled "An Act authorizing the laying out of a certain state road, and for other purposes," approved the twenty-second day of April, one thousand eight hundred and forty-four, be and the same is hereby repealed, so far as the same applies to Cumberland county.

First section of certain act relative to state road in Cumberland county, repealed.

SECTION 14. That Turner's lane, in the district of Penn, in the county of Philadelphia, commencing at the Ridge turnpike road, and running south-westerly so far as the same extends, be and the same is hereby vacated, and the title to the soil over which the same passes, be and the same is hereby vested in fee simple in the several owners of grounds adjoining and fronting on the said lane respectively, each owner to have and to take one-half part thereof so far as his respective lot adjoins and fronts upon the said land: *Provided*, That before closing the said lane there shall be first opened and dedicated to public use without expense to the county of Philadelphia, Jefferson street from the Ridge road aforesaid, westwardly to Twenty-eighth street, and Twenty-seventh street north-westerly from said Turner's lane to Jefferson street.

Turner's lane in Penn district, Philadelphia county, vacated.

J. S. M'CALMONT,

Speaker of the House of Representatives.

V. BEST,

Speaker of the Senate.

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

WM. F. JOHNSTON.

No. 394.

AN ACT

In relation to the boundary lines between the counties of Erie and Crawford, and the counties of Bedford and Blair, and Bedford and Cambria; to incorporate the Shermansville plank road company; relative to a justice of the peace; and erecting Steuben township, in Crawford county; in relation to the Cumberland road; to the city of Pittsburg; and to building associations.

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 commissioners of the county of Erie be and they hereby are authorized and empowered to appoint one commissioner, and the commissioners of Crawford county are authorized and empowered to appoint one commissioner, and the two commissioners thus appointed shall name a third commissioner, which three persons so named shall con-

Commissioners to run boundary line between Erie and Crawford counties.